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country has to offer in exchange for foreign productions, is at any given moment of time the measure and limit of the demand for such foreign productions. Thus much for the propositions. How does the "example" given afford us any explanation? How can a "demand for foreign produce consist of" that which we have to offer? We may guess at the meaning which Colonel Torrens intends to convey, and which probably is, that if England has 1,000 bales of goods, and Cuba has 1,000 hogsheads of produce, and they wish to barter the one for the other, then a bale of goods will be the equivalent for a hogshead of produce. The proposition in itself is of little value. It could be true only if the figment created by Colonel Torrens were also true, of England and Cuba being the only countries having commercial intercourse each with the other. The passage may serve to suggest whether its author is fitted to become the expounder of doctrines, and may afford means for accounting for the effect which his recent writings are said to have produced upon people unaccustomed to the examination of subjects connected with economical science, and unused to detect the fallacies that are pretty sure to lurk under a style, for describing which there is no legitimate English word, so that we are driven to the columns of the *slang dictionary*, and to borrow from it the expression *rigmarole*.

It betrays a most singular want of congruity in the mind of Colonel Torrens that he should have chosen for the illustration of his theory our intercourse with Cuba. Had he known anything of the nature of that intercourse, he must have been conscious that it affords in itself a perfect answer to that theory, for if it be true, our trade must long since have consummated the ruin of the island, seeing that its tariff is far less hostile to us than our tariff is to it, for it takes of our manufactures a very large amount, while we wholly exclude its produce by prohibitory duties.

The case of Switzerland, too, might have suggested a doubt as to the truth of Colonel Torrens' "mathematical demonstration," seeing that on every side the Cantons have to encounter hostile tariffs, while they are wholly without any tariff, and yet manage under conditions otherwise disadvantageous to carry on prosperously their manufactures and their foreign commerce.

Before proceeding at greater length to show that the theory brought forward by Colonel Torrens has no true foundation, it may be well still further to expose the want of clearness of his mind as seen in the manner of enunciating his positions. At page 8 of this Postscript we find the following passage:—

"Let us now vary our supposition and assume that England and Cuba impose upon the productions of each other an import duty, of

100 per cent. The effect of this duty would be to diminish, by one half, the demand in each country for the products of the other. Consumers in England would have as before 1,000 bales of finished goods with which to purchase Cuba produce; but 500 bales would now be paid into the Treasury on account of the duty, and consequently, no more than the remaining 500 bales could be exported in payment of the foreign produce. In like manner, the producers in Cuba would have as before 1,000 hogsheads of produce to lay out in the purchase of British goods, but out of the 1,000 hogsheads which they paid to the importing merchant, 500 hogsheads would be transferred by him to the Treasury of Cuba, and only the remaining 500 exported to England. In England, the value of tropical produce estimated in finished goods would be doubled; and in Cuba the value of finished goods in relation to raw produce would be doubled."

By his manner of thus stating his propositions, Colonel Torrens converts the import duty of Cuba into an export duty of England, and *vice versa*. But the operation, independent of this jumble, would not be conducted as stated. By the hypothesis, England has made 1,000 bales of goods and Cuba 1,000 hogsheads of produce more than each requires, and it would not result from the imposition of duties as assumed, that an increased demand would arise in England for 500 bales of goods, nor in Cuba for 500 hogsheads of produce. The 1,000 bales and the 1,000 hogsheads, respectively, must still be exported, and if the inhabitants of Cuba had nothing to give in exchange but their 1,000 hogsheads, and the merchants of England nothing to offer but their 1,000 bales, the importers in the two countries would pay the duties upon the 1,000 packages imported by them respectively, and those duties would not be in diminution of the net proceeds. By the hypothesis the rate of duty is 100 per cent.; it will therefore result that finished goods in Cuba and "produce" in England will be dearer to the respective consumers than they were before the duties were imposed, possibly by the full amount of the duty, but probably by the greatest part of the impost; but the duty collected in each country would of course relieve the inhabitants of each from an equal weight of taxation in some other direction, and each would then, after paying the duty, have the same means of consuming the finished goods and the "produce" as before.

Colonel Torrens is of a different opinion. He says—

"In the above case, the trade between England and Cuba would be diminished one half — half the former quantity of raw produce would be imported into England, and half the former quantity of finished goods into Cuba. But it would not necessarily follow that the aggregate wealth or the aggregate consumption of either

country would diminish by this contraction of its foreign trade. In England, though the quantity of sugar would be diminished one half, yet one half of the goods formerly sent out in exchange for sugar, would be retained in the country, and consumed by those for whose services the tax might be advanced; and in Cuba, while the quantity of British goods would be diminished one half, one half of the domestic products formerly sent out in payment of British goods, would be retained in payment of the duty, and would augment the public revenue by the amount abstracted from the revenues of the consumers of British fabrics."—Pp. 8, 9.

So that the English government is to intercept 500 bales of goods which would otherwise go to Cuba, to keep them at home where they are not wanted, and where their presence can only operate to reduce the price of the like goods made for home use, and to distribute them among "those for whose services the tax might be advanced." Who those persons might be does not appear; indeed, the whole passage partakes in a very great degree of the confusion that marks throughout this "mathematical demonstration." If this interception took place the effect must be to reduce the price of the then redundant goods in the home market, and thus to occasion the future production of a smaller quantity, until we should have only 500 bales to send to Cuba.

To proceed in the examination of Colonel Torrens' assumptions. He says—

"Let us now alter the circumstances of the case, and assume that England repeals the duty upon Cuba produce, while Cuba retains the duty upon British goods. The effect of this remission of duty upon one hand, and retention on the other, requires to be carefully and accurately traced."—P. 9.

Let us see the amount of care and accuracy brought to the task.

"Previous to the remission of the duty," says Colonel Torrens, "the consumers in England were able and willing to give 1,000 bales of goods for Cuba produce, but of those 1,000 bales, 500 were abstracted as duty; and therefore the actual quantity of British goods which constituted the demand (quære, the means of payment?) for Cuba produce was only 500 bales. On the remission of the duty by England, the quantity of British goods constituting the demand for Cuba produce is doubled. No portion of the goods which the consumer pays for tropical produce will now be abstracted by the Treasury; the whole will be given to the merchants in exchange for the imported produce. The imported produce is 500 hogsheds. A double quantity of domestic commodities is offered in exchange for the same quantity of foreign commodities. Two bales of British goods, which previous to the repeal of the British duties were worth, at the import price, two hogsheds of Cuba pro-

duce, will now be worth only one hogshhead. Cuba will obtain for the 500 hogshheads of produce which she sends to England, the same quantity of finished goods which under the system of free trade on both sides she had formerly obtained in return for 1,000 hogshheads of produce. The whole of the amount of the duty charged by Cuba upon British goods is therefore paid by England."—P. 9.

By the former hypothesis, of the 1,000 bales and 1,000 hogshheads, 500 of each were to be seized by the respective Custom houses, leaving 500 of the one to be exchanged for 500 of the other. It is not, therefore, correct to say that two bales exchanged for two hogshheads, since the producers parted each with 1,000 and received 500, or gave two for one. From what has already been said, it appears that the respective quantities of 1,000 would continue to be sent and received. The remission of the duty on the part of England would make no alteration in this respect—the 1,000 surplus bales would be sent, and the 1,000 surplus hogshheads would be received, irrespective of the imposition of the duty or its remission. What, then, would be the effect of the one-sided remission assumed? Let us examine the question, not on the absurd basis of England and Cuba being the only countries in the world, but with reference to existing circumstances.

England sends to Cuba goods valued at one million sterling, and takes in return—*nothing*, the duties chargeable upon the produce of Cuba amounting to prohibition. How, then, is England paid? Cuba sends her produce to Germany, Spain, &c.; and England receives the value in wool, timber, grain, wine, &c.

Cuba imposes import duties upon English goods, which duties are paid by the consumers, who pay to England besides the same price for the goods as is paid by other countries, *i. e.* their cost of production and transport, with the ordinary rate of mercantile profit.

If Cuba took off this duty, and the consequent cheapening of the goods occasioned a greater consumption, the increased demand might for a time occasion an advance of profits in England upon certain branches of manufacture; but in the first place, this increase of demand would be but trifling with reference to the whole production of those manufactures in England, and therefore the increase of profit would be trifling also; and secondly, it would soon cease, through the flowing of more capital into the so favoured branches of employment.

If Cuba should increase the duty, so as to diminish the use of English goods, the reverse effect would follow; but the degree must be equally proportioned to the amount of our trade with Cuba, as compared with the entire trade of England in the particular branches affected, which branches would be in the receipt

of a smaller rate of profits only until the adjustment should be effected by the withdrawal of capital and its employment in some other channel.

In the meantime, the cheapening of the goods in question might cause greater sales to other countries, and thus enable England to draw her supplies of wool, timber, grain, wine, &c., from Germany, Spain, &c., in payment for the goods themselves, instead of such German and Spanish produce being paid for the produce of Cuba, sent to those countries in order to provide funds in payment for the goods of England sent to Cuba.

If England shall reduce her duty upon Cuban produce so as to allow of its consumption in England, the immediate effect would be, in our actual circumstances, to give Cuba a higher price for that produce, and then a smaller quantity will pay for the English goods actually consumed in Cuba. If Cuba contents herself with the same quantity of English goods she will have a surplus quantity of produce to exchange for something else, either in England or elsewhere, and so far will benefit; but will that which causes her benefit be productive of loss to England?

The admission into consumption of any additional quantity of an article necessarily lowers the price in the market, and England receiving an additional quantity of produce by admitting that of Cuba, will either obtain the same quantity of produce from Cuba, the West Indies, &c., for a smaller quantity of manufactures, or will bring a larger quantity of produce for the same quantity of manufactures, and in either case England will be benefited.

Let us, in order to subject our opinion upon this subject to the most searching test, inquire what would be the effect if England should abolish all customs and excise duties, while other countries maintained their tariffs?

It would still be necessary to raise the same revenue for payment of the public creditor, and for carrying on the government establishments. To take the amount directly from the people might occasion some saving in the collection, but the difference in that respect could not be very great, and may for simplicity be left out of the calculation. The people, then, would pay the same amount in taxes, and would have no more net income to spend upon articles of necessity or convenience than at present. The price, then, without the duty, of imported articles would not rise in our markets—we should consume no more, and should pay the same amount, *i. e.* should give the same quantity of our products in exchange, as at present. For example:—a cotton spinner has now 1 lb. of yarn to exchange for 2 lb. of sugar. One half of the value of the

yarn remains with the importer of sugar, and the other half is paid over by him to the government for duty. If the sugar is admitted duty free, and the same amount of taxation is taken direct from the cotton spinner, he still gives half to the state and half to the importer of sugar. There will be no difference either to him, or to the importer of sugar, from the change.

If we allow for a moment that Colonel Torrens has, indeed, proved his hypothesis "to a mathematical demonstration," who is to determine the means of apportioning our Customs duties so that the people of England, already sufficiently taxed for national purposes, shall not be made to pay the taxes of foreign countries? We import from France wine and brandy and silk goods, and export to France linen, linen-yarns, and metals, and the duties are collected upon weight and measure, *i. e.* they are what are called *rated duties*. The rates upon wine and brandy, estimated according to the value of the articles, are out of all proportion greater than any duties charged upon British goods in France. According to Colonel Torrens we must, therefore, render by this means France tributary to the public revenue of England; and if his theory should meet with assent on the part of our neighbours, we may speedily expect to see the tariff of France made still more restrictive than it is.

It is a fact, however, which should cause Colonel Torrens to doubt the "mathematical" accuracy of his conclusions, that in the face of this inequality in their tariff, England every year exports the precious metals to France to a greater value than she imports them from that country.

Let us take another case. We import cotton from the United States of America and from Brazil, at the same rate of duty for both. But the United States charge 40 per cent. duties upon our manufactures, and Brazil charges 20 per cent. Either, then, we are tributary to the United States for 20 per cent. of the revenue derived there from British goods, or we are drawing part of our revenues from the people of Brazil; and how are we to prevent one or other of these things from happening—*i. e.* if the theory be a true one. The thing is manifestly impossible—may we not say that the theory is manifestly untrue?

We have said that the circumstances assumed by Colonel Torrens in illustration of his theory have not, and never could have, existence. He has assumed, "that England and Cuba have no commercial intercourse except with each other," the effect of which assumption is to substitute Cuba for the whole world, England excepted; and by this assumption and its application, he implies that England is in the condition, by its wants on the one hand and its surplus productions on the other, to monopolize the whole of the foreign trade of every other country

in the world—a palpable absurdity, and yet the granting of this absurdity is necessary in order to give even a semblance of plausibility to his theory.

If Cuba were the only country producing sugar, and if England were the only country making cotton goods, it is clear that each might enjoy all the advantages attendant upon monopoly, and that the other must either forego the use of sugar or of calicoes, or must take them upon the terms imposed by the producer. But it is a question of political economy, and not a question of monopoly, that Colonel Torrens has undertaken to argue.

Let us, then, go back to the proposition laid down at page 9 of the Postscript—viz., that England repeals the duty upon Cuba produce, while Cuba retains the duty upon British goods. Will England send to Cuba her calicoes to get thence in exchange a less quantity of sugar than she could get for those goods from Brazil? Of course she will not, and of course the duty charged upon English goods by the government of Cuba must be paid by the consumers in that island, or they must forego their use, and forego likewise the sale of their sugar.

Colonel Torrens expresses it as his opinion that—

“There is an important difference as regards the effect of demand and supply upon exchangeable value, between the commodities which are produced in the same country, and the commodities that are produced in different countries. In the same country, the cost of production adjusts the relation of demand to supply, and consequently becomes the ultimate regulator of exchangeable value with respect to all those domestic commodities which are not subject to monopoly, while, as regards different countries, cost of production has a slight and frequently an imperceptible influence in adjusting supply to demand, and consequently cannot be regarded as the ultimate principle which regulates the terms of international exchanges.”—P. 5.

This opinion calls for examination. In some cases, where countries are the exclusive producers of articles desired in other countries, they may be able to obtain a considerable advantage. For example, China enjoys the monopoly of supply in the article of tea, and by means of an export duty may obtain for a quantity of that article representing the labour of ten men, a quantity of woollen cloth from England which represents the labour of fifteen men. It is the advantage enjoyed by the several countries of the world over other countries in the cost of producing different articles of commerce that is the foundation of all foreign trade; but, except in cases partaking of the nature of monopoly, like that of China with regard to tea, this will not give an advantage to one country over another. Let us suppose that England produces coals with such advantages, that, at the cost of ten days' labour, a quantity may be delivered in France equal to that

which can be produced in that country by the labour of a man during twelve days. It will manifestly be to the advantage of France to import coals from England, rather than to raise them at home. On the other hand, let it be supposed that France raises flax with greater advantage than England, so that a quantity, the result of ten days' labour, may be delivered in England, which quantity demands for its production, here, twelve days' labour. It will therefore be better for England to import than to raise flax. If these exchanges are not prevented by fiscal regulations, there will result an economy of labour—a profit—equal to 20 per cent. to both countries, and not at the expense of either. If England were the only coal-producing country, she might obtain an undue advantage, so that the cost of production would not regulate the terms of the exchange. Or if France were the only flax-producing country, the same advantage might be obtained by her.

But there is another country—Belgium—which produces both coal and flax; and on the supposition that the cost of production, *i. e.* the labour expended in their production, is equal to that expended in France for the production of flax, and in England for the production of coal, it is clear that another element, that of competition, is thus provided, and that it must regulate the terms of the exchanges between France and England. And this state of things exists more or less with regard to almost every article that helps to make up the sum of international exchanges.

Let us suppose that all fiscal obstacles to commerce are removed—that England is free to send to France her various manufactures, and to receive from that country its various products, without restriction and free of duty; in the course of trade we should then take from France the wine which we do not produce, and should send to that country in exchange something that we do produce on better terms than France—say cotton goods. According to Colonel Torrens, the cost of production would have but a slight or imperceptible influence in regulating the terms of the exchange. Let us suppose, that to produce a given quantity of cotton goods in England requires the labour of ten days, and that to produce the like goods in France would require the labour of fifteen days; in this case England might, as Colonel Torrens seems to infer, obtain an advantage in the French market of 50 per cent., and “the difference of language, of religion, and of climate, would interpose an insuperable obstacle to such a transference of labour as would cause the international exchange of commodities to be ultimately determined by productive cost.” But other markets are open to France whence to obtain cotton goods, and if England insists upon demanding the value of fifteen days' labour, while the like

goods can be procured elsewhere for the value of twelve days' labour, England, of course, will lose the trade. France will obtain her supply of cotton goods from some other market—suppose America—and will pay for them with the wine which would have formed the return made to England. It may, however, happen that England will still buy the quantity of wine which she would have paid for in cotton goods, and that America will not increase her purchases of wine from France. In this case, France will pay for the cottons by bills on England, drawn in payment for her wine, and the transactions may be adjusted by the export of British goods, say of iron, to America. Thus:—

America sells cotton goods to France, and is paid in iron from England.

France sells wine to England, and is paid in cotton goods from America.

England sells iron to America, and is paid in wine from France.

Let us vary the case, and suppose that France demands an inordinate profit from England for her wines—that she sends that which has caused ten days' labour, and demands in payment that which has caused fifteen days' labour. But wine may be procured from Portugal, and for that which represents ten days' labour, Portugal may be contented to receive that which has cost in England twelve days' labour. In this case, France must reduce her price or yield to the successful competition of Portugal.

In this way it arises, that competition among nations becomes, notwithstanding "the difference of language, of religion, and of climate," as effectually the regulator of international exchanges, as competition among capitalists at home is made to regulate the exchangeable value of domestic commodities.

If there were but two countries in the world having commercial intercourse the one with the other, and if, consequently, there were but two tariffs, it might be possible to adjust these in such a way as to attain the balance which Colonel Torrens declares to be so desirable, not to say so indispensable. That such an adjustment is indispensable, we do not admit. If Customs duties were allowed to work out their only legitimate end—that of producing revenue, they would have no effect whatever in limiting foreign commerce, provided they could be and were so adjusted as not to give an advantage to one article over another. This we shall endeavour to explain. It is, however, useless to argue the question upon the hypothesis of the existence of only two countries and two tariffs assumed by Colonel Torrens. There are many countries and many tariffs, and

it would be a hopeless—nay, an impossible—task, to set ourselves to adjust the tariff of one country so that it would countervail the varying tariffs of different countries. Adopting, for the moment, the theory of Colonel Torrens, it will be apparent that a duty upon wine, for example, which might be adequate to meet the taxation of Portugal as applied to British manufactures, might be quite inadequate to meet the taxation of France, as applied to those manufactures, and what shall we say as to its meeting the prohibitions of France? Such an adjustment is manifestly impossible; and why should we argue upon an impossible case?

We have said that if Customs duties were confined to the single and legitimate object of raising revenue, and if they were so adjusted as to fall equally upon all imported articles, they would not in any degree limit foreign commerce. The difficulty of thus adjusting a tariff would be nearly as great as that of making it to countervail equally the different tariffs of various countries; but we may, for argument, suppose it to be possible, or at any rate may assume that to approximate to such a result is possible. In such circumstances, the effect of Customs duties would be to collect from the people the taxes necessary for the affairs of government, and if we put out of consideration the greater cost of collection, as well as the greater amount of capital required by the dealers, and which would still further advance the charge upon the public beyond the benefit to the revenue, it must be indifferent to the people whether they paid the taxes in this form, or as a direct money payment. If the income of the country were one hundred millions, and the taxation twenty millions, it could then make no difference whether this were raised by an income tax of 20 per cent., or by Customs duties equivalent to that rate, equally imposed, and bearing equally upon the community. In either case 80 per cent. would remain after the tax collector should be satisfied; the amount paid to foreigners would be the same, and consequently the amount of traffic would be the same: *e. g.*—the duty upon coffee is 4d. per pound; every consumer of a pound of coffee, therefore, now pays 4d. to the revenue through the grocer; whereas, if the duty were abolished and a direct tax substituted, he would pay the 4d. direct to the State, and would buy his pound of coffee for 4d. less than when burthened with the duty.

The difficulty of so dressing a tariff for revenue as to act equally, is increased by the various and continually varying circumstances of different classes in the community, and altogether it may be affirmed, that it would require superhuman

wisdom to invent a tariff that should bear thus equally, or that should not act injuriously, upon some branches of industry. A tariff for protection is, by its very nature, incapable of this adjustment, and injurious to industry, so that there need be raised no question in regard to such a tariff; but in the case of a tariff for revenue, one article may be made to bear more than its due proportion of taxation, by which means another is made to bear less than that proportion. Let us take two articles of consumption, differing widely in the conditions attending upon them, and suppose that each is charged with a duty equal to 100 per cent. on the value. Let these articles be sugar and spices. A duty of 100 per cent. on sugar, which is used in large quantities, will fall more heavily and act more injuriously upon commerce than a duty of the same rate on spices, which are used in small quantities. This will be made to appear if we suppose that an addition is made to the duty in both cases equal to 50 per cent. on the value. Such an addition to the cost of sugar would, without doubt, limit materially the consumption, while its imposition on spices would have no perceptible influence upon the quantity demanded. If, on the other hand, 50 per cent. were abated from the duty on both, the use of sugar would be greatly extended, while that of spices would remain nearly stationary.

In either case the alteration would exercise an important influence upon the sugar trade, and scarcely any upon the trade in spices, which, being used in minute quantities, the effect of even considerable variations in the duty would be hardly appreciable by consumers, while a small change in the duty on sugar would be immediately perceptible.

It does not follow, because the abatement made in the rate of duty upon an article of general use causes a greatly increased consumption of that article, that such abatement must be desirable—apart even from moral considerations which may apply in some cases, as, for example, in respect to intoxicating liquors. A greatly increased consumption of any article causes a larger outlay of money, which must necessarily be drawn from the purchase of some other articles, the commerce in which may be quite as important or even more important than is the commerce in the article in favour of which the decrease in the duty occurs. If the increased consumption is experienced only to such an extent that the same amount of money, including the reduced duty, shall be spent on the article as was spent before the reduction of the duty, then, although the consumption of other articles would not be effected in the same way, there will be a deficiency in the revenue which must be compensated by increasing the rate upon some other article or articles, possibly but little qualified

to bear it, and thus their consumption will be lessened, and an injury may be done to foreign commerce.

For these reasons it appears that it must be a very delicate matter to alter a tariff, and that to effect any changes which shall, on the whole, prove beneficial, requires the greatest amount of practical knowledge on commercial questions.

It is highly probable that the duties imposed by our tariff, even where they apply only to revenue objects, are not so levied as to yield the greatest amount to the Exchequer that can be obtained without injury to foreign commerce, and that a judicious re-adjustment of duties would prove highly advantageous to trade, although the same amount of duties should continue to be collected as at present. A great number of articles is named in our tariff, the trade in which is wholly insignificant; and that it is so may be owing to the exorbitancy of the duties imposed. If these duties were reduced, the effect might be to allow of the consumption of such articles, and so to create revenue where none is at present obtained. On the other hand, the money spent by consumers in such articles would be withdrawn from the purchase of some other articles, and the amount of duty collected upon these would be diminished, while the trade of the country in them would be diminished also. We may, however, fairly assume that in such a case there would result a balance of benefit, since the public would not, without advantage, forego the use of one article in favour of another.

There is another case where the result does not so clearly present itself. Let us suppose two commodities, the consumption of each of which under existing rates of duty is, relatively, the one to the other, precisely what it would be if there were no duty upon either—this is supposing them to be dealt with in their mutual relation, precisely as it is desirable that all articles should be dealt with, fiscally, in relation to all other articles. Let us then suppose that upon one of these commodities an abatement is made in the duty which stimulates consumption, while the old rate is left upon the other, and the tariff immediately operates to disturb the natural condition, *i. e.* there will be more of one thing and less of another thing consumed than would be the case in the absence of all duties. It is fair to assume that under the natural condition people would adopt the course that should be most for their advantage, and, consequently, that the disturbance of that course must be disadvantageous.

The foregoing remarks apply solely to a tariff for revenue—that is, to such a tariff as seldom, if ever, has had existence, and which assuredly is not to be found in existence at present.

A tariff which should in every case apply the same rate of

duty to the same article upon its importation, without reference to its origin, would still not be a tariff for revenue only, unless it imposed the same rate of duty upon the like articles when of home production. A duty upon imported timber that should make no distinction between the places of its growth, would still be a duty for protection, unless the same rate were imposed upon all timber of home growth that should be felled in the United Kingdom. The imposition of the import duty upon foreign and colonial timber, while it left fiscally free home-grown timber, would raise the price of the latter by the amount of the duty beyond what it would be if no such import duty were imposed, and in that way, and to that extent, would be a duty for protection in favour of home-grown timber. This position has been questioned by high authorities upon such matters, and it is therefore necessary to examine it. For this purpose we will, however, quit the article of timber, and apply the inquiry to wheat, that being the article in respect of which the particular doctrine in question has been controverted.

If wheat were, like coals, produced by us in constant superabundance, any duty that might be imposed on it would be inoperative, as are the rates of one shilling per ton actually chargeable upon coals when imported from foreign countries, and sixpence per ton when brought from British colonies. There are seasons during which, as in 1835, we do produce a superabundance of wheat, and, in such circumstances, the effect of a duty of any amount on importation is wholly without influence upon prices. But such seasons form the exception, the rule being that we require a yearly supply of wheat beyond our home growth for the nourishment of the people. It will be convenient for our present purpose to consider this as being the case universally, and then the price of wheat in this country must necessarily be higher than it is in the countries whence the deficiency would be supplied, by the amount of the charges incurred in its conveyance. Any duty then placed upon it at our Custom house would have the same effect as if the cost of conveyance were increased—the duty would form part of the expenses upon importation, and would have precisely the same effect as any other item of those expenses. If the freight and other expenses of bringing wheat from Dantzic to London were ten shillings per quarter, it is clear that there must be a difference in price equal at least to that amount between Dantzic and London, to admit of the importation of any quantity whatever into London. If, then, by any means the freight and charges of importation were reduced to six shillings, it is equally clear that six shillings per quarter would be the necessary difference of price; but if, con-

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currently with this reduction of import charges, there were imposed a duty of four shillings, is it not also equally clear that things would remain as they were before the reduction in the freight and charges, and that there must continue a difference of price equal at least to ten shillings per quarter?

If the duty imposed were very great, say forty or fifty shillings per quarter, the price in England might not rise so as to cover the cost of conveyance added to the duty, but in this case there could be no importation, and the duty would act as a prohibition; which result would be brought about only through the privation and misery of the poorer classes in England.

To say that England produces less wheat than is required for the consumption of its inhabitants, is to say that, without importation, there must be a part of the people who will be deprived of bread, or restricted to an insufficient quantity, and neither of these results can be experienced except through a high price, which makes bread difficult or impossible of attainment on the part of the poor. If the deficiency is very great, the demand of that part of the community who can pay a high price will raise the price so as to allow of the importation of wheat from abroad, burthened even with the most exorbitant rate of duty, and the price in England will then again be greater by all the charges of conveyance added to the amount of the duty, than it would be in the market of supply if there were no import duty.

This is a case not likely to happen. It never could occur that, while suffering from high prices through scarcity, the legislature would maintain so high a rate of duty as to prevent, or even in any important degree to limit, importation. In the face of such a scarcity, a moderate fixed duty might however be collected, since it would not prevent importations while the price should be rising, and these importations would tend to check, if they did not prevent, a progressive and very considerable advance in our markets, and would be accompanied by a corresponding advance in the markets of supply, so as to maintain a difference in price about equal to the charges of importation added to that moderate duty.

Under these circumstances the scarcity must be very severe to allow of any distressing rise of prices, since with every advance in our markets we should command a more liberal supply from abroad, either by enlarging the circle whence it would be drawn, or by tempting our nearer neighbours to part with a larger quantity of their wheat, or by a combination of both these causes.

A permanently higher price of wheat in England as compared with other countries, which should be in any great degree brought

about through the imposition of an import duty, might raise the profits of the wheat growers beyond the ordinary rate of profits, and thus cause more capital to be applied to the production of wheat, by which means the price would be lowered through the increased supply, and thus a limit would speedily be put to such employment of additional capital; but to whatever extent this were carried, it would to that extent cause a withdrawal of capital from other pursuits, and raise the profits obtained in those other pursuits at the expense of the community in general; and even if by this fresh distribution of capital, the price of wheat were brought down so nearly to a level with the prices of other countries as to prevent importation, so that it could not be said that the difference in the prices here and abroad amounted to the charges of conveyance *plus* all the amount of duty; it might still be, that whatever was wanting to make up the sum of those charges and duty, would be lost to the community through the greater prices paid for articles, the production of which had been limited in quantity through the withdrawal of the capital whereby the greater production of wheat had been caused. It is evident that a protecting duty afforded to wheat would thus occasion an injurious interference with the employment of capital, and that it must be hurtful to the community so long as it should thus operate. But this could not be the case long. In the actual circumstances of this country, with its continually increasing population, a continually greater amount of capital would also be required in order to produce other articles in sufficient abundance; an equalisation in the rate of profits would again be established, and the demand for wheat would again so far exceed the supply as to raise the price, until this would again come to exceed the price of foreign markets by the charges of conveyance and the rate of duty.

If an effect of imposing a duty for protection should be to cause more land to be brought into cultivation, which land would necessarily be of inferior fertility, it must result that higher rents would be paid for all the more fertile lands already in cultivation; and this would necessarily add to the cost of agricultural produce generally. In this case, as well as in that of the application of more capital to land already under cultivation, the unavoidable result must be, that prices will be higher than they would be if the stimulus of a duty had not been applied. The effect of bringing more land into cultivation, and of applying more capital to land already under tillage, undoubtedly is to increase the gross produce of the country; and as it is the quantity offering for sale in proportion to the demand that regulates the price, this will, of course, be lower than it would have been if

such additional produce had not been raised, provided we in either case kept out the produce of other countries. But it is precisely this produce of foreign countries—its admission or its exclusion; the effects of its free importation or of protecting duties laid upon it, that constitutes the whole question.

If we assume that wheat is produced abroad at a cost which allows of its importation into England under a duty of five shillings, and that it is actually so introduced, then, as already shown, the price must be higher in England than in the countries of production, by all the expenses of conveyance *plus* the duty. If this protecting duty should act as a stimulus to production in England, so as to cause the raising of such a quantity as to keep the price higher than that of foreign countries, by the expense of conveyance, and by a further sum less than the duty, say 4s. 11d. per quarter more, it is clear that no importations will take place; the country will produce as much as there is power in the people to consume at continental prices, *plus* the expenses of conveyance, and *plus* the sum of 4s. 11d. per quarter. In this case it will surely be granted that the protecting duty has the effect of raising the price of all the wheat grown in England to the extent of 4s. 11d. per quarter. But it will do more than this. By raising the price it will limit the power of consumption, and thus will cause privation and misery.

For the sake of simplicity, one article—wheat—has been considered; but it must be evident that any legislative measure which permanently affects the price of one article of agricultural produce, will equally affect the price of every other article of such produce.

If, instead of putting a tax upon imported wheat, while grain of home production should be exempted from it, the tax were taken at the mill, that would be strictly a duty for revenue, and if the country were free to adopt any plan that it might judge advantageous for raising its needed amount of revenue,—that is, if there were among the people no contracts, either positive or implied, that had been formed under a different plan, this might be as good a mode of providing the revenue as any that could be adopted, since every one would pay the tax, and the wages of labour would come to be so adjusted under it, as to cause it to bear equitably upon every class of the community. Such a tax would not raise the price of home-grown corn over that of other countries, nor would it in any way add to the burthens of the people. The amount collected in this manner would be remitted to the public in other shapes, and probably by this means, international exchanges of productions might come to be more profitably and more extensively carried on.

We are not in such a condition as to render a tax of this kind desirable, nor indeed would it be possible, with the existing amount of knowledge upon the subject, for any government to impose it. The suggestion of it has been made only as an additional means for showing the injury that is inflicted upon consumers by the imposition of a tax which, while it is received by the government upon a part only—and probably a very small part—of what is used, has the unavoidable effect of raising the price of the whole, and farther, of producing to a portion of the people, those who are the least able to help themselves—the evils of dearth, at times when, but for mischievous legislation, they might be in the enjoyment of plenty.

We have said that it is a delicate matter to alter a tariff, and that to do so beneficially requires a vast amount of practical commercial knowledge. Had we confined ourselves to the enforcement of this opinion, it might have suggested an excuse for eschewing all further legislation on commercial subjects, lest in remedying an evil on one hand we should produce a greater evil in another direction. We trust that no one will pervert what we have brought forward to so baleful a purpose. That there are difficulties to be encountered in the performance of any useful task, should indeed make us cautious in the steps we take, but should never be suffered to deter us from entering upon the work. That the task of reforming our tariff calls for so great an amount of knowledge, while this knowledge has not presided at its original construction, and to a great extent has been absent also from the modifications which it has undergone, affords grounds for the conviction that such a reform, if entrusted to competent hands, might be rendered productive of a very great amount of benefit.

We are not sanguine enough to hope that with the existing amount of knowledge changes can be suddenly made in our tariff which would bring it to the desirable condition of bearing equally in all directions; but some of its more glaring inequalities might surely be at once removed, while every judicious change effected would open the way for other reforms by enlightening our minds upon the subject of taxation, one of the most important branches of statemanship, but which has hitherto been dealt with by legislators in a spirit of the wildest empiricism.

If, with the experience before him of all the evils produced by levying duties upon articles of use and consumption, any statesman deserving of the name, were called upon to establish a system of taxation for some newly-formed community, the imposition of such duties would assuredly be the last expedient to which he would have recourse. If even he should be possessed of all the

knowledge requisite for the production of a perfect tariff, and had power to procure its adoption, he could take no security against its perversion by those who would come after him, to serve the purposes of selfishness, until it might be rendered, that which almost every tariff in the world has been made, a fruitful source of more crime and misery than have resulted from ill-judged legislative interference in all other directions. U.

ART. II.—1. *America; Historical, Statistic, and Descriptive.*

3 vols. By J. S. Buckingham. Fisher, Son, and Co.

2. *Eastern and Western States.* 3 vols. }

3. *Slave States of America.* 2 vols. }

4. *Canada.* 1 vol. }

By the same Author.

MR BUCKINGHAM, in the preface to his 'Slave States of America,' has anticipated our preliminary remarks, and we will therefore give his own account of the object and nature of the work, in reply to objections which have naturally suggested themselves to other reviewers.

"One objection is this: that too much space has been devoted to historical, geographical, and statistic information, and too little to that of manners. I regard this, however, as one of the principal merits of the book. Mrs Trollope, Captain Hamilton, Captain Basil Hall, Mr Stuart, Mr Power, Miss Fanny Kemble, Miss Martineau, Captain Marryat, and the two most recent and most interesting of them all, the Honourable Mr Murray and Mr George Combe, had each, according to their several views, given much more of their space and attention to American manners than to the history, topography, productions, and statistics of the country; and I considered it, therefore, as much a duty, as I felt it to be a pleasure, to supply this deficiency; so that even those who had read all the writers named, might find much that was new in my own pages; and this I believe is now generally conceded to be the case.

"Another objection is this: that instead of always stating facts and giving abstracts of opinions in my own language, I have repeated the exact words of American editors and American authors. This, also, I felt it my duty to do, for two reasons; one of which was, to prevent all complaint on the part of American readers, by letting them see the original authorities for the statements made; and the other was, to obtain the confidence of English readers in my strict impartiality, by showing them that I was desirous of giving the Americans, in these extracts, the privilege of speaking for themselves."

A better reason against the course adopted, than either of the above in its favour, does not appear to have occurred to Mr Buck-

ingham—that it would lead to great prolixity, expose him to the charge of “book making,” and defeat his object by diminishing, we fear to a serious extent, the number of his readers. We have no desire to dwell upon this fault, because it is, one that carries with it its own punishment. It would have been well if Mr Buckingham had reconsidered the plan of his work before writing his first chapter. With great diligence and industry he has collected in nine large octavo volumes materials which the public look for in a history and in a topographical dictionary, but scarcely in a book of travels. The volumes are therefore neither so useful for reference, nor so acceptable from their novelty of information, as they might have been rendered had Mr Buckingham adhered simply to the duty of a narrator. It is a misfortune to him as a writer that he is eloquent as a lecturer, for to discourse well and write well are very different things, and few succeed in both. In the one case it is permitted to amplify; in the other we are required to condense. A multitude of words may be no evil in an oral explanation, and on the contrary, if emphatically delivered, they may all assist in fixing the attention; but print them in a book, and the effect is reversed. A congregation may be very attentive to a long sermon, but how few among them would read it without falling asleep. Even among works of fiction, not many novel readers reach the end of the twelfth volume of Sir Charles Grandison, without skipping.

We counsel all writers, who would make an impression on the public mind, against interminable dissertations, but especially travellers. The object of travellers should not be to say everything about a country that has hitherto been unsaid. The public would be content with a very little, provided that little is to the purpose. The news brought home from abroad should be chiefly that which is the most closely connected with questions agitated at home. Upon indifferent topics silence is wisdom. Had Mr Buckingham observed this rule, he would have been spared many angry criticisms which have been occasioned by the size of his work. Reviewers looked for travels in America, and found an Encyclopædia of useful knowledge, including whole chapters upon the Chinese, and upon carbonic acid gas. An abridgment in two volumes is the only form in which the work can obtain general circulation, and we should be glad to see such an abridgment, for it would be unjust to deny that the work supplies the data for forming correct opinions of America upon many points which have never before been clearly or satisfactorily discussed.

Our present task must be that of analysis. The busy reader, who will never find time to peruse the whole nine volumes, desires to know what new or interesting matter he may find in

them, if he dip into the work when it reaches him through his book-club, and we must endeavour, as far as our limited space will permit, to supply the place of a general index.

Mr Buckingham left London for the United States on the 7th September, 1837, landing at New York on the 10th of the following month. Immediately on his arrival he announced his intention of repeating the popular course of lectures he had delivered in England, upon various countries of the East, and to this object he devoted upwards of three years, during which he had an opportunity of seeing something of every place of importance in the Northern, Southern, Eastern, and Western States of America, as well as of the British Provinces of Canada, Nova Scotia, and New Brunswick.

Mr Buckingham's professional exertions appear to have been well received, though we could have wished he had omitted the details of his success, which he has given us in the shape of extracts from newspaper eulogiums. We are willing to bear testimony with others to Mr Buckingham's ability in extempore speaking, and we believe his powers of oral description have rarely been surpassed. On the subjects of Free Trade, Temperance, and Peace, Mr Buckingham has also, it must be admitted, done good service; but we hope in future he will take the higher ground of treating the fact as one universally recognised, upon which he could afford to be silent, instead of thrusting the evidence continually before the public, as if proof were required. This, however, we may pass, for many of us perhaps have worse faults than self-complacency; and regretting with much sincerity, that Mr Buckingham's misplaced confidence in American banks occasioned the total loss of the handsome fund he had realised by lecturing (3,000*l.*), we shall proceed to give some account of the author's views of American institutions and the American people.

We may omit his notice of American manners. All travellers appear to agree that the mass of the American people are, both in conversation and demeanour, infinitely less refined than the educated classes of this country; but it is unfair to compare them with the educated classes of England. Let a comparison be drawn between the small shop-keepers of our country towns, or Devonshire boors and Northumberland hinds, and of any class of native-born American citizens, and the result would scarcely be in our favour; and we presume it was English scamen who established the first precedent of tobacco-chewing and spitting.

This is, after all, a very minor question, interesting chiefly to a few of the residents at the Court-end of London, who may possibly have contemplated emigrating to America, and whom we would strongly recommend to stay at home. What is the social

position and comparative state of the industrious classes in regard to their physical comforts? The following is Mr Buckingham's account of the classes connected with agriculture in America:—

“In the general appearance of the surface of the country, England is far superior to America. The great perfection to which every kind of cultivation has there attained, the noble mansions of the wealthy gentry, the fine parks and lawns, the beautiful hedge-row fences, the substantial stone farm-houses and outbuildings, and the excellent roads and conveyances, which are seen in almost every part of England, are not to be found here. But though, in these outward appearances, American farming districts are inferior to English, yet in all substantial realities the superiority is on the side of America.

“The occupier of a farm, whether large or small, is almost invariably the owner of the land he cultivates; and therefore all the disagreeable differences between landlords and tenants, with the vexations of the game laws, the authority of country squires and clerical magistrates, so fertile a source of annoyance in England, are here unknown. There being no tithes, great or small, for the support of a State clergy, all that large class of evils growing out of tithe disputes and tithe compositions, are here also unheard of. The labourers being fewer than are required, and wages being high, there are neither paupers nor poor-rates, and neither workhouses nor jails are required for the country population, since abundance of work and good pay prevents poverty, and takes away all temptation to dishonesty. There being no ranks or orders, such as the esquire and the baronet, the baron and the earl, the marquis and the duke, each to compete with and outvie the other in outward splendour, which too often leads to inward embarrassment, as in England, the country residents are free from that foolish ambition which devours the substance of too many at home; and all those idle disputes and distinctions about old families and new ones, people of high birth and people of low, country families and strangers, which so perplex the good people of England when a county meeting or a county ball takes place, so as to set persons in their right places, to admit some, exclude others, and so on, are here happily unthought of. The consequence is, that with more sources of pleasure, and few sources of dissatisfaction, the American country gentry and farmers are much better off and much happier than the same class of people in England. No corn laws exist to vex the landlord with a fear of their abolition, no non-payment of rents and abatements to tenants are ever heard of, for landlord and tenant are here merged in one. No distraint for tithes or writs of ejectment ever occur; and in short, scarcely anything ever happens to ruffle the serenity of a country life in the well-settled parts of America. “••

“The greatest difference of all, however, between the agricultural population of England and those of the United States, is to be seen in their relative degrees of intelligence. In England, no one, I

presume, will deny the fact, of the farmers and farm labourers being among the least intelligent and most uneducated portion of the population. Here, on the contrary, they are among the most intelligent and best informed. A great number of the occupiers of farms are persons who, having been successful in business in cities, have retired at an early period of life, bought an estate, take delight in cultivating it on their own account for income, and as from seven to ten per cent. is realized on farming capital where carefully attended to, it is at once a safe and profitable investment. * * *

"If the contrast is striking between the English and American farmer, it is still more so between the farm labourers of the two countries. In England it is well known what miserable wages agricultural labourers receive—ten to twelve shillings, perhaps, the average; what scanty fare they are obliged to subsist upon—flesh meat once or twice a week, at the utmost; and how perpetually they stand in danger of the workhouse, with all their desire to avoid it; with no education themselves, and no desire to procure any for their children. Here, there is not a labourer on a farm who receives less than a dollar a day, or twenty-four shillings per week, while many receive more; and those who are permanently attached to the farm have wages equal to that throughout the year. Besides this, they have as good living at the farm house as prosperous tradesmen in the middle ranks of life enjoy in England—three substantial meals a day, and in hay and harvest time four, with abundance and variety at each. At the same time they enjoy the advantages of excellent schools for the almost gratuitous education of their children, neat little cottages for themselves and wives to live in, a little plot of ground for gardening, and privileges in great number." *

After Mr Buckingham's statement of the absence of all jealousies arising from difference in rank, it seems somewhat inconsistent to read of "aristocratic circles," and "exclusive coteries," in America; yet it appears they exist, though not to so great an extent as in England; and as human nature is everywhere the same, they will doubtless always be found where there are inequalities of wealth. Describing Saratoga, one of the fashionable watering places of the United States, Mr Buckingham says—

"The chief attraction of Saratoga to visitors is neither the mineral waters nor the salubrious climate, as these are mere excuses for the journey to nine-tenths of the comers; but the great charm to the vast majority is the gay and ever-changing company that is found here from all parts of the Union, and especially of the opulent classes, into which it is the constant aim and desire of those who are not opulent to get admitted. Hundreds who in their own towns could not find admission into the circles of fashionable society there—for the rich and leading families of America are quite as exclusive

* 'America,' by J. C. Buckingham.—Pp. 411 to 415, vol. ii.

in their *coteries* as the aristocracy of England—come to Saratoga, where, at Congress Hall or the United States, by the moderate payment of two dollars a day, they may be seated at the same table, and often side by side, with the first families of the country—promenade in the same piazza, lounge on the sofas in the same drawing-room, and dance in the same quadrille with the most fashionable beaux and belles of the land; and thus, for the week or month they may stay at Saratoga, they enjoy all the advantages which their position would make inaccessible to them at home.”*

If the democratic institutions of the United States have not made America all that can be desired, it does not at least follow that the country would have prospered better under Monarchy and a Colonial government. Between Canada and the United States there are many points of dissimilarity, and not always to the advantage of the Canadians. Mr Buckingham observes—

“One of the first of these points that struck us, was the solicitation of beggars. We had been nearly three years in the United States without seeing an American beggar in the streets; but we had not been landed five minutes in Toronto before we were accosted by several, between the wharf and our hotel. In the States we had never seen women employed in manual labour; here we witnessed several instances of it; and of ragged, swearing, and profligate boys, we saw a greater number in Toronto than in the largest cities of the Union. On the other hand, we saw no persons here who chewed tobacco; there was less of hurrying and driving to and fro in the streets; the shopkeepers were all more civil and obliging, the servants more respectful and attentive, and all classes more polite.”†

A still more unfavourable comparison was the result of an inquiry into the value of land in the two countries.

“From the testimony of all parties who have had an opportunity of comparing the land on the opposite sides of the lakes, the soil of Upper Canada is in no respect whatever inferior to that of the States of New York or Ohio, and the finest parts of the province are those lying west of this. Many portions of the country are agreeably undulated, though there are no mountains; while the abundance of water in the lakes, rivers, and springs, with which the country is supplied, is highly favourable to its fertility. Wheat is everywhere produced in great quantities, and of excellent quality, and the harvest of the present year is said to be unusually abundant. The markets of Toronto bear evidence of the excellence and cheapness of everything required for the table; the fish of the lake is of the finest kind, particularly the white fish and salmon; the beef, mutton, and lamb, are quite equal to those of the best provincial markets in England; and everything in the way of provisions is cheap and

* Page 435, vol. ii.

† ‘Canada,’ p. 29.

good. The value of land, however, instead of having progressively increased with time, as in the United States, has of late greatly declined; and we met with gentlemen who were large holders of land, which they had purchased from fifteen to twenty years ago at 10s. an acre, for which they could not now get 2s. 6d. There has never been, indeed, a period in the history of the province in which farms could be purchased by settlers at so cheap a rate as now; and yet some of the emigrants who had left England with the intention to settle in Canada, and who had come up from Quebec at the government expense, preferred going over into the United States and settling themselves there.”*

Having noticed Canada, we must not omit to state that the contrast, as drawn by the author, is in some respects in favour of the Canadians; and we were much interested with Mr Buckingham's account of the *Rebels*, whom we have just succeeded in subduing by an expenditure of two millions, but not without conceding the very demands which before the war we had obstinately resisted.

“In every instance in which we had yet had an opportunity of seeing the Canadian peasantry, we had been struck with their peculiar neatness and cleanliness, both in their persons and dwellings, and all we witnessed in our journey to-day strengthened our first impressions. Though the glass windows of the cottages were cleaner than any we remember to have seen in the country dwellings of the agricultural settlers in the United States, yet they were all undergoing the usual renovation to which they are subjected every Saturday afternoon—the sashes being taken out, and the glass washed with water, while the frames are scrubbed with brushes and soap, and the whole wiped perfectly dry before the sashes are replaced. Fresh flowers are usually placed in the windows after this, and every part of the interior is thoroughly cleaned. It is the universal custom of the *habitans* to whitewash their dwellings every spring; and as the roofs as well as the sides are of wood—the former being covered with wooden shingles overlapping each other, exactly in shape like the slate-tiles of roofs in England—every part of the edifice is equally subjected to the white-washing process, which gives the distant view of the landscape over which they are scattered a lively and even brilliant appearance, and inspires all who see them nearer at hand with great respect for the cleanliness and order of their occupants.

“The contrast between the clean, well-dressed, respectful, and courteous French peasantry of Canada, with the dirty, ill-clad, rude, and disorderly appearance and conduct of most of the Irish and other emigrant settlers in the United States; and the equally striking contrast between the neatness, cleanliness, and order of their

dwellings, with the utter neglect of all attention to these qualities in the log-cabins and shanties of the western cultivators among the Americans, is greatly in favour of this country and its inhabitants.”*

We copy a description, to the same effect, of a village of French Canadians, near the Falls of the Chaudière: —

“Proceeding up the left bank of the stream for about three miles, we arrived at the cottage of one of the *habitans*, where it was necessary to leave our carriage, at a distance of about half a mile from the Falls, the remainder of the way being impracticable except for very narrow vehicles, or on horseback, or on foot. We remained a little while at the cottage, while the occupant of it prepared to accompany us as a guide; and were as much struck here as we had been everywhere else in Lower Canada, with the great cleanliness of the peasantry, both in their persons and dwellings. Nothing could surpass the neatness and order of everything we saw here; while the family, consisting of a mother and five children, presented all the appearance of competency and comfort according to their sphere of life. Like the peasants of the country generally, they spoke only French, and like them, too, they exhibited as much of habitual gaiety and cheerfulness of disposition, and as much kindness and courtesy of manners, as in the best parts of France.”†

Recent measures, both of the American and English governments, have had a tendency to give a strong impulse to the prosperity of Canada, but it is a melancholy subject of reflection, that through the blindness of legislators in both countries, the legitimate reward of industry and profits of commercial intercourse will only be attained through the demoralizing channel of smuggling. The high tariff of the United States will not close the market to English goods, but cause the same goods to be imported by way of Canada, which, if the trade were free, would be shipped to New York direct. The late alteration of the corn laws with regard to American wheat and flour will, without doubt, increase this smuggling trade to a great extent. Large quantities of American wheat will be sent into Canada to be ground into flour for the English market, and upon which, as the article is bulky, a duty of 3s. will probably be paid, but the payment for this wheat will be in British manufactured goods, which being more portable than wheat in proportion to their value, will all be smuggled across the frontier. Take the following instance of the fact:—an account of the trade carried on between the two towns of Windsor and Detroit, towns on opposite banks of the narrow strait leading from Lake Erie into Lake St Clair.

“We entered one of the shops, as they are called here, but stores

* ‘Canada,’ p. 267.

† ‘Canada,’ p. 277.

on the other side, and found a party of Detroit ladies, who had come over with us in the steam ferry, bargaining for English goods of various kinds, to smuggle across. The high tariff upon British manufactures imported directly into the United States affords a premium of from 20 to 40 per cent. on smuggling; and the ease with which this can be done here, and the little odium attached to smuggling, form great temptation to the practice. Accordingly, the ladies and gentlemen of Detroit come across the water, buy their broad cloths, velvets, silks, satins, muslins, calicoes, hats, bonnets, and many smaller wares, here, free of duty. There are plenty of tailors and mantua-makers to make up these materials into dresses, and then they can be worn across with impunity, at a great saving of expense. Judging from what we saw and heard here at Windsor, the smuggling carried on in this way must be immense, notwithstanding the suspended portrait of her Majesty the Queen, whose presence neither overawes her Canadian subjects from selling, nor her American neighbours from buying, 'contrary to law.' When the intercourse shall become, as in the course of time it must do, more extensive between the people of the two nations, along the whole line, no tariff can be maintained that they will not violate; and on so extensive a frontier, no coast-guard could be stationed that would be able to prevent it."

Apropos of Canada, Mr Buckingham favours the public with his views upon colonization, a subject of growing interest and importance, upon which he writes with great zeal and earnestness, but without apparently the slightest perception of the practical difficulties of accomplishing the object. According to the author, nothing would be easier than to ship off to Canada a million of paupers from England and settle them down comfortably, each on twenty acres of land, to be granted as free gifts from the Crown. We should like to know how Mr Buckingham would set about this wholesale deportation, even if the power were given him of drawing to an unlimited extent upon the public treasury. First, with regard to the pauper class, nineteen out of every twenty consist of the old, the infirm, the diseased, and widows and orphans. The able-bodied form but a fraction of the number, and among these a large proportion are handloom weavers, whose sickly attenuated frames are but ill adapted for forest labour. Place this class of persons suddenly in the back woods of America, and the whole would perish in the first six months of a Canadian winter. But select the pauper emigrants from a more hardy race; land them in Canada or elsewhere, and they could not be immediately abandoned. As paupers, they must be supplied with seeds and tools, and lodged, clothed, and fed, at least for the first twelve months; and is it quite certain, that with the

* 'Eastern and Western States,' p. 394, vol. iii.

habits of dependence paupers have acquired, it would even then be safe to leave them to their own resources? Of the cost of such an arrangement, Mr Buckingham tells us nothing; neither has he explained the mode of overcoming another embarrassment—that which would arise from the disposition of *free* emigrants to throw the expense of their passage out upon government. About 100,000 persons now annually emigrate from the United Kingdom at their own cost; the greater portion of these would seek to avail themselves of any government fund provided for emigration, and thus nothing would be gained by the public but an addition to their burdens. The truth is, that colonization is no remedy for existing distress, but it may be for much future misery, by staying the too rapid progress of population. It is only the young, the hardy, and the enterprising, that make good emigrants; and as they have generally some means of their own, it is not necessary to treat them as beggars needing charity. We have no faith in alms-giving, whether in the shape of loaves of bread or grants of land. In our plan of colonization we would give nothing, neither land nor passage-money, but we would assist those who are willing to help themselves by loans. We would place them upon the land, but make them win it by labour. As property, it would be most prized by being bought with the proceeds of their own industry.

After all, however, the necessity for any immediate scheme of colonization on a large scale, is not very clearly made out. Give us free trade with all the world, and we should find elbow room in Old England for a hundred years to come. The volumes before us furnish a good story, illustrative of the exaggerated notions entertained on this subject.

“An old lady whom we had on board afforded us some amusement by her conversation. She was upwards of seventy years of age, and had been brought up as a Quaker, the dress and phraseology of which she still retained, though her children, as is very common in this country, had left the Society of Friends, and joined themselves to the ‘world’s people.’ This old lady was accompanying her son, a young man of twenty-five, who had bought a piece of land here in Illinois, and was going to settle on it; at a distance of about fifteen miles back from the river. She asked us whether we had not now seen enough of America to make us prefer it greatly to England? and when we replied that, on the contrary, we preferred England the more for having seen America, she was astonished. ‘But how,’ said she, ‘can you think of going back to so thickly-peopled a country, where there is hardly room to breathe freely, when you can have plenty of land so cheap, and plenty of room in these western woods and rolling prairies?’ We answered, that there was no difficulty in finding breathing room in England, by any one of

tolerably competent means; and that, independently of the ties of kindred, patriotism, and association, there were more pleasures, corporeal and intellectual, to be enjoyed in England, than in any country under the sun. 'Ah!' said the old lady, 'every one to their own taste; but for me, I could never endure to live in a country where the people are so thick, that to prevent their being choked by the dust, they are obliged to be constantly watering the roads!'

"After this, there was of course no hope of agreement between us, and at this point of our dialogue the boat stopped at the landing, and the old lady and her son were called away."

Mr Buckingham is a good story-teller, and his work abounds with anecdotes, some of which, if not true, at least ought to be, as they serve to amuse, and many readers are indifferent whether this end be attained through the medium of fact or fable. The two leading features in the American character are, a greater profession of religion than with us, and an extreme and universal passion of money-getting. Our author tells us that the anxiety to find some royal road to fortune, and to grow rich rapidly, is by no means confined to New York and other great commercial towns:—

"The fondness for speculation, which springs from the love of excitement and the desire for gain blended together, has found its way to Germantown also; and been displayed in two separate and distinct manias, one in the purchase of Merino sheep, for breeding and producing wool of the finest quality; and the other in cultivating the *Morus multicaulis* tree for the rearing of silkworms, and establishing cocconeries. In the high-fever of the first mania, the extravagant price of 1,800 dollars was given for a single ewe of the Merino breed; and 1,400 dollars for a lamb. An instance was related to me of the singular result of such a purchase, in the case of an individual who had strained every nerve to get together the money necessary to buy one of these lambs, for which he gave the price named. In the eagerness of his desire to secure this purchase beyond all power of retraction or annulment, he did not wait till he went home from Philadelphia in the evening to take his dear bargain with him, but sent it out by a special messenger to his house at Germantown in the forenoon, without any directions as to what was to be done with it. The wife, not knowing its cost, or indeed the exact object of the purchase, supposed that the lamb was intended for the larder, and probably meant for the Sunday's dinner; and considering that it would be the more tender if killed early, had it slaughtered and cleaned by the butcher of the village, and its skin taken off, so that when the eager husband arrived home at sunset, full of the most sanguine dreams as to the future fortune to be made out of this prolific Merino lamb, his horror and disappointment may

* 'Eastern and Western States,' p. 215, vol. iii.

he easily imagined, when he saw this precious purchase hanging up outside the door of the kitchen, killed for the table!"*

Another anecdote may help to show what in America is understood by wit, and at the same time the serious drawback (really no jesting matter) which exists to the advantages of settling in a fertile and alluvial but undrained district.

"Some of our companions varied the political conversation by the exercise of their wit, in the exaggerated strain so characteristic of Western manners. The unhealthy condition of some of the Western rivers, the Illinois in particular, was the subject of their discourse; when one asserted, that he had known a man to be so dreadfully afflicted with the ague, from sleeping in the fall on its banks, that he shook to such a degree as to shake all the teeth out of his head. This was matched by another, who said there was a man from his State, who had gone to the Illinois to settle, and the ague seized him so terribly hard, that he shook all his clothes from his body, and could not keep a garment whole, for it unravelled the very web, thread by thread, till it was all destroyed! The climax was capped, however, by the declaration of a third, that a friend of his who had settled on the banks of the Illinois, and built a most comfortable dwelling for himself and family, was seized with an ague, which grew worse and worse, until its fits became so violent, that they at length shook the whole house about his ears, and buried him in its ruins!"†

Among the historical anecdotes, we have one relative to the origin of Cincinnati, which may probably interest some of our fair readers as another instance of the influence of beauty in the affairs of mankind,—affecting even the foundation of a great city.

"Through the influence of Judge Symmes, the detachment sent by General Harmer, to erect a fort between the Miami rivers, for the protection of the settlers, landed at North Bend. This circumstance induced many of the first emigrants to repair to that place, on account of the expected protection which the garrison would afford. While the officer commanding the detachment was examining the neighbourhood, to select the most eligible spot for a garrison, he became enamoured with a beautiful black-eyed female, who happened to be a married woman. The vigilant husband saw his danger, and immediately determined to remove, with his family, to Cincinnati, where he supposed they would be safe from intrusion. As soon as the gallant officer discovered that the object of his admiration had been removed beyond his reach, he began to think that the Bend was not an advantageous situation for a military work. This opinion he communicated to Judge Symmes, who contended, very strenuously, that it was the most suitable spot in the Miami country, and

* 'Eastern and Western States,' p. 87, vol. ii.

† Ibid, p. 272.

protested against the removal. The arguments of the judge, however, were not as influential as the sparkling eyes of the fair female, who was then at Cincinnati. To preserve the appearance of consistency, the officer agreed that he would defer a decision till he had explored the ground at and near Cincinnati; and that, if he found it to be less eligible than the Bend, he would return, and erect the garrison at the latter place. The visit was quickly made, and resulted in a conviction, that the Bend was not to be compared with Cincinnati. The troops were accordingly removed to that place, and the building of Fort Washington was commenced. This movement, apparently trivial in itself, and certainly produced by a whimsical cause, was attended by results of incalculable importance. It settled the question at once, whether Symmes or Cincinnati was to be the great commercial town of the Miami purchase. This anecdote was communicated by Judge Symmes, and is unquestionably authentic. As soon as the troops removed to Cincinnati, and established the garrison, the settlers at the Bend, then more numerous than those at Cincinnati, began to remove; and in two or three years the Bend was literally deserted, and the idea of establishing a town at that point was entirely abandoned."

We are tempted to extract another anecdote, as a commentary upon the late attempts of the Puseyite clergy, sanctioned by the Bishop of Exeter, to revive the Roman Catholic practice of an offertory, or collection, for church purposes, made during divine service, and before the congregation have quitted their pews. These offertories or collections are very common in the chapels of America, but do not appear to be among the most successful means of attracting the heathen to a place of worship. The following is from the speech of Red Jacket, a chief of the Seneca Indians, in reply to a discourse of the Rev. Mr Cram, a missionary sent for the conversion of his tribe to Christianity: —

"Brother, The Great Spirit has made us all; but he has made a great difference between his white and red children; he has given us a different complexion, and different customs; to you he has given the arts; to these he has not opened our eyes; we know these things to be true. Since he has made so great a difference between us in other things, why may we not conclude that he has given us a different religion according to our understanding; the Great Spirit does right; he knows what is best for his children; we are satisfied.

"Brother, We do not wish to destroy your religion, or take it from you; we only want to enjoy our own.

"Brother, You say you have not come to get our land or our money, but to enlighten our minds. I will now tell you that I have been at your meetings, and saw you collecting money from the meeting. I cannot tell what this money was intended for, but sup-

pose it was for your minister, and if we should conform to your way of thinking, perhaps you may want some from us.'”*

Our quotations prove that, whatever may be the faults of Mr Buckingham's work, it contains some pleasant reading; and, perhaps, to the public at large, this may be its best recommendation. We think more lightly than we could wish to have done of the more grave and reasoning portion of the volumes. Mr Buckingham writes in the earnest tone of a philanthropist, but too often as one who has never studied in any practical school. For example, he is eloquent, and justly, on the evils of intemperance, but what can be more wild than his notion of a remedy for the evil? He tells us that “the only effectual mode for extinguishing this dreadful plague, is the entire prohibition of the manufacture, sale, or importation of the liquid poison, under penalty of confiscation wherever found, and punishment and degradation of the offender.” This “only effectual mode” would be no remedy at all, because it belongs to the class of remedies which no government could carry into effect. Experience has taught that a legalized sale of spirits and low duties are the only means of putting down illicit distillation and smuggling; and yet an advocate of free trade talks of the expediency, on moral grounds, of a prohibitive system!

The proposition, however, may find favour with a government that imagines it possible, by an “Irish Arms Bill,” to deprive every lawless ruffian of his weapons of offence. When the highwayman shall be induced to attend peaceably in a police office to register his pistols—when the Emperor of China shall succeed in putting down opium smoking by proclamation—when little boys shall find birds sufficiently tractable to stand still and have salt put upon their tails, then, and not till then,* will the prohibition of spirits put an end to spirit drinking, and the demand (while it exists) cease to produce the supply.

Here we cannot avoid making the remark, that the account given by Mr Buckingham of the frenzy on religious subjects prevailing among some sects in America, leads us almost to doubt whether intemperance is, after all, the most dangerous means of excitement. We know not which to pity most, the physical and moral degradation of the drunkard, or the mental imbecility which could lead to a scene like the following. It is an account of the ceremony of divine worship as performed by the religious sect called the Shakers.

“The assembly then formed itself into another order for the dancing, which is called by them ‘labour,’ and from the zeal and anima-

* ‘Eastern and Western States,’ p. 334, vol. iii.

tion with which all their movements are performed, it may well deserve that name. The males were first arranged in pairs, following each other like toops in a line of march; and when their number was completed, the females followed after, two and two in the same manner. In this way they formed a complete circle round the open space of the room. In the centre of the whole was a small band of about half a dozen males and half a dozen females, who were there stationed to sing the tunes and mark the time; and these began to sing with a loud voice and in quick time, like the Allegro of a Sonata, to the Vivace of a Canzonet, the following verse:—

“ ‘Perpetual blessings do demand,
Perpetual praise on every hand;
Then leap for joy, with dance and song,
To praise the Lord for ever.’

“The motion of the double line of worshippers, as they filed off before us, was something between a march and a dance. Their bodies were inclined forward like those of persons in the act of running; they kept the most perfect time with their feet, and beat the air with their hands, to the same measure. Some of the most robust and enthusiastic literally ‘leaped’ so high, as to shake the room by the weight with which they fell to their feet on the floor; and others, though taking the matter more moderately, bore evident signs of the effects of the exercise and heat united on their persons. This first dance lasted about five minutes, and during the pause which succeeded, another short speech was made by one of the male elders, repeating the duty of congratulating themselves on the privileges they enjoyed.

“The first dance was performed to the air of ‘Scots wha’ ha’e wi’ Wallace bled,’ but sung with great rapidity, such as is sometimes done when it is converted into a quick march by a military band. The second dance was of still quicker measure; and to the much less respectable old English tune of ‘Nancy Dawson,’ which I had not heard for thirty years at least, though it was a popular song in my boyhood, among sailors especially; and the last place on earth in which I should have expected to hear it revived, would have been among the Shakers in America. Yet so it was; and to this lively and merry tune the whole body, now formed into three abreast, instead of two, literally scampered round the room in a quick gallopade, every individual of both the choir and the dancers, singing with all their might these words:—

“ ‘Press on, press on, ye chosen band,
The angels go before ye;
We’re marching through Emanuel’s land,
Where saints shall sing in glory.’

“This exercise was continued for at least double the time of the former; and by it the worshippers were wrought up to such a pitch of fervour, that they were evidently on the point of some violent outbreak or paroxysm. Accordingly the whole assembly soon got into

the 'most admired disorder,' each dancing to his own tune, and his own measure, and the females became perfectly ungovernable. About half a dozen of these whirled themselves round, in what opera-dancers call a *pirouette*, performing at least fifty revolutions each—their arms extended horizontally, their clothes being blown out like an air-balloon all round their persons—their heads sometimes falling on one side, and sometimes hanging forward on the bosom—till they would at length faint away in hysterical convulsions, and be caught in the arms of the surrounding dancers.

"This, too, like the singing and dancing which preceded it, was accompanied by clapping of hands, to mark the time, while the same verse was constantly repeated, and, at every repetition, with increased rapidity. Altogether the scene was one of the most extraordinary I had ever witnessed, and except among the howling dervishes of Bagdad, and the whirling dervishes of Damascus, I remember nothing in the remotest degree resembling it."*

The two volumes on the Southern States of America contain abundant evidence confirmatory of all that has been said or written of the demoralizing influence of slavery upon both slaves and slave owners. The question of the superior advantages of free labour, as an element of production, lies in a nutshell, and is well put by Mr Buckingham.

"A wealthy planter said to me, 'I assure you that these negroes are the laziest creatures in the world, and would never work but by compulsion. Now, I have a fellow on my plantation, who for fourteen or fifteen days past has been complaining of rheumatism, and could not be brought to work for an hour, he was so ill, as he said, as to be unable. On Sunday last, I was walking on the bay, looking down the river, when who should I see but my rheumatic rascal pulling up in his boat with some things to sell on his own account, the fellow having rowed a distance of fourteen or fifteen miles for a market.' I replied, 'The reason is very plain; he was too ill to work for *you*, because he got nothing more by working than by being idle, but he was quite well enough to work for *himself*, because his labour was well rewarded.' 'Egad,' said the planter, 'but you have hit it; that is no doubt the cause of the difference.' I rejoined, 'This is the whole solution of the question; no man will labour for another's profit with the same zeal that he will for his own, and the difference between the indolent apprentice toiling for his master and the active journeyman working for himself, is just the difference between the exertions of the slave and the free.' To this no reply was made."†

Another quotation, corresponding with the above, indicates the present state of the controversy between the slave owners and abolitionists of the United States.

"This same gentleman told us of two instances that had happened on his own estate, of ingenious evasions of labour. One man took medicine, which he stole from the dispensary, purposely to make himself sick, to avoid work; and when examined by the doctor, he was detected in having spread powdered mustard on his tongue to give it a foul appearance. A female slave, to avoid working for her master, produced such swellings on her arms as to excite the compassion of those who thought it to be some dreadful disease; but the same person, who lay abed groaning with agony all day, being detected in the act of washing clothes at night, for some persons in the neighbourhood, for which she was to be paid—and to effect which in secrecy she was found standing nearly up to her middle in a pond concealed under the trees—afterwards confessed, in order to avoid a flogging, that she had produced the swelling on her arms by thrusting them into a beehive and keeping them there till they were thoroughly bitten and stung; and when the swelling began to subside she repeated the same operation to revive them.

"I inquired, 'Why, if these were the state of things, they did not cure it by giving freedom to their slaves?' and the answer was this, 'that up to a very recent period the feeling was almost universal in Kentucky, that it would be better to do so, especially as the neighbouring state of Ohio, without slaves, was making so much more rapid strides in prosperity than Kentucky with them; and that probably in a few years their emancipation would have been agreed upon, but that the proceedings of the Abolitionists in the north wounded their pride, and they determined that they would not submit to interference or dictation in the regulation of their 'domestic' institution.' To this feeling was added another, that of 'standing by' the other slave states of the south, and making common cause with them in a determination not to do anything by coercion or by threat, but to abide their own time, and act independently of all fear or intimidation.'"

We might extend our extracts, and perhaps not unprofitably, but we have given enough as specimens of the work, and it would, perhaps, be superfluous to add any further opinion upon its faults and merits. We shall conclude with repeating our recommendation of an abridgement. The historical notices contained in the volumes, although not the least interesting portions, have (with moral and philosophical dissertations, better omitted) swelled the work to an unprecedented size; but in an abridged form it might still command an extensive sale, and deserve it, better than many books on America which have been favourably received.

E.

ART. III.—*Tytler's History of Scotland.* W. Tait : Edinburgh.
(*Second Notice.*)

UPON the faith of a new discovery, Mr Tytler has tried to make it out that John Knox was cognizant of the conspiracy against Rizzio's life, and, consequently, that he must have been an associate in guilt with the perpetrators of that barbarous act. This is a grave charge to have brought against the great apostle of the Scottish Reformation. It cannot be denied that Mr Tytler's disclosures, gathered from the State Paper office, have elicited circumstances that throw a darker shade over some of the proceedings of the Reformers in their connexion with the conspiracies and assassinations of that fierce and turbulent era. But that any of these discoveries tend to implicate John Knox as pre-cognizant of, or associated in, these foul transactions, is a point which we think will require more evidence to establish than our historian has yet produced. Dr M'Crie, the biographer of Knox, expressed his belief, long ago, that

"There was no reason to think he was privy to the conspiracy which proved fatal to Rizzio, though it was probable he had expressed his satisfaction at an event which contributed to the safety of religion and the commonwealth; if not also his approbation of the conduct of the conspirators."

This opinion of the case we have no doubt in assuming to be the correct one. It is but fair, however, to state Mr Tytler's presumptive proofs to the contrary, which are: 1. From Knox's principles that idolaters were punishable with death, and from the language in which he is alleged to have spoken of the murder, it is probable he approved of it, and might therefore have been admitted into the secret. 2. That as Knox fled precipitately from Edinburgh immediately after the assassination, his flight must be held as an evidence of his guilt. 3. That it is hardly credible Knox could have been kept out of a plot formed by the party of which he was the leader, and in which all his friends were implicated. 4. That the language of the prayers and sermons during the Fast immediately preceding the murder was such as to show that the preachers were apprized of it—their exhortations tending to excite violence and bloodshed, and inculcating the duty of inflicting vengeance on the persecutors of God's people.

Such are the proofs, direct and presumptive, on which Mr Tytler has charged Knox with being privy to the Rizzio conspiracy. Some of them are mere insinuations entitled to no weight.

It is admitted that Knox thought idolators were punishable with death; that he expressed his satisfaction at this particular murder; and that, immediately after it, he fled precipitately from Edinburgh. But all this furnishes no direct evidence of his being cognizant of the plot or associated with the plotters. In fact, Rizzio's assassination was mainly, if not entirely, an affair of political and private revenge. It was concocted by persons with whom Knox was not in confidence at the time, and originated from motives in which he was not likely to participate. The prime instigator of the murder was Daruley himself, who was then leagued with the Popish faction, and not likely to make a confidant of John Knox. The motives that suggested it were jealousy that Rizzio had criminally supplanted him in the queen's affection—and wounded pride that he should have been vested with powers and prerogatives equal to those enjoyed by the king himself. The nobles to whom the plot was first communicated, entered into it entirely on political grounds; and though some of them were induced to join in the belief that Rizzio's death would tend to the security of the Protestant religion, this was a subsequent stipulation exacted by Morton and his associates as part of the price for which they were willing to lend their aid in accomplishing the primary object which the king had so deeply at heart.

It will thus be seen that there is nothing in the presumptive evidence to implicate this Reformer as an associate in the conspiracy. But there is one direct proof to which Mr Tytler has attached much importance: we mean the list contained in a certain letter, which professes to give "the names of such as were consenting to the death of David;" amongst which appear those of John Knox and John Craig, preachers; both being at that time ministers in Edinburgh. Could this list be proved authentic it would settle the matter; but, unluckily for Mr Tytler's hypothesis, it is attended with such suspicious circumstances as to destroy its credibility. 1. The letter is written in Randolph's hand, but the list is not, being pinned to it as a separate document, and said to be written by a clerk who was at that time employed in this confidential correspondence by Bedford; 2. It does not appear whether the list was pinned to the letter originally or afterwards, nor is there any proof when or by whom it was attached; 3. While Randolph's second letter, written the same day, gives a list of thirty-one conspirators in which the name of Knox does not appear, and which professes to be the "names of *such as now be gone abroad*,"—the pinned document is endorsed in the hand of Cecil's clerk, "names of *such as were consenting to the death of*

David," a discrepancy which is rather remarkable, and throws doubts on the trustworthiness of the whole document; 4. A note appended to the pinned list says of the persons named, that "their houses are taken and spoiled," a fact which cannot apply to Knox, as we find it nowhere stated that his house was taken and spoiled. Within ten days after the murder, violence was done by the military to many houses in Edinburgh, and all "who had absented themselves" were denounced rebels, and had their effects confiscated. If Knox had been among the number, his name was sufficiently notorious to have caused the fact to become publicly known; and his enemies, the Papists, would have been delighted to receive so authentic a corroboration of the report which they were propagating, that the deed was committed at the instigation of the Protestant clergy. On the other hand, when the queen was induced to grant a pardon to those who had been banished for the murder, this act of grace included Morton, Ruthven, Lindsay, and seventy-six other persons. Had Knox been among those to whom the royal mercy was extended, we may rest assured that the Protestant party would have hailed the circumstance as a complete and triumphant exoneration of their great champion. This silence of friends and foes may be taken as an undeniable proof of the Reformer's innocence.

With regard to Knox's flight from Edinburgh, that can be shown to have arisen from causes totally unconnected with the murder of Rizzio; but it will be enough to state one fact. If Knox was implicated, so was Craig, for both their names are in the pinned list, yet the latter did not flee, but remained in the metropolis; and so far from betraying guilt or fear, he boldly condemned the Romish idolatry from the pulpit; and when ordered to proclaim the banns between Mary and Bothwell, her husband's murderer, he denounced the marriage as a union "odious and slanderous to the world—a union against all reason and good conscience." This certainly was not the conduct of a man whose conscience told him he had participated in an act which exposed him to the peculiar vengeance of the queen.

On the whole, from all these circumstances—from the suspicious character of the pinned list—from the total silence of all other contemporary documents yet brought to light—from the satisfactory explanation of Knox's retirement from Edinburgh—and from the unblemished reputation which he continued to maintain touching that event, even among his enemies, it may fairly be concluded that some stronger proofs are required to convince the world of Knox's implication in Rizzio's murder, than this anonymous fragment of stray paper, which, however, forms the basis of

the whole structure of Mr Tytler's charge. Except this pinned document, there is not another particle of direct evidence within the whole compass of Scottish history, or in the State Paper office, or in any other repositories hitherto discovered. All other proofs consist of mere assumptions, and inferences drawn from the Reformer's actions, or from obscure and figurative expressions in his writings. Having settled this controversy, we trust to the reader's conviction, we shall now give Mr. Tytler's narrative of Rizzio's assassination—a frightful picture of the times:—

“Elizabeth knew all that was about to occur: the life of Rizzio, the liberty—perhaps, too, the life—of Mary was in her hands; Moray was at her court; the conspirators were at her devotion; they had given the fullest information to Randolph, that he might consult the queen: she might have imprisoned Moray, discomfited the plans of the conspirators, saved the life of the miserable victim who was marked for slaughter, and preserved Mary, to whom she professed a warm attachment, from captivity. All this might have been done,—perhaps it is not too much to say, that, even in these dark times, it would have been done,—by a monarch acutely alive to the common feelings of humanity. But Elizabeth adopted a very different course: she not only allowed Moray to leave her realm, she dismissed him with marks of the highest confidence and distinction; and this baron, when ready to set out for Scotland to take his part in those dark transactions which soon after followed, sent his secretary Wood to acquaint Cecil with the most secret intentions of the conspirators.

“Whilst these terrible designs were in preparation against her, some hints of approaching danger were conveyed to the Scottish queen; but she imprudently disregarded them. Rizzio, too, received a mysterious caution from Damiot, an astrologer, whom he used to consult, and who bade him beware of the bastard, evidently alluding to George Douglas, the natural son of the Earl of Angus, and one of the chief conspirators; but he imagined that he pointed at Moray, then in banishment, and derided his apprehensions. Meantime everything was in readiness; a large concourse of the friends of the Reformed Church assembled at Edinburgh for the week of fasting and humiliation: directions for prayer and sermons had been previously drawn up by Knox and the ministers, and the subjects chosen were such as seemed calculated to prepare the public mind for resistance, violence, and bloodshed. They were selected from the Old Testament alone, and included, amongst other examples, the saying of Oreb and Zeeb, the cutting off the Benjamites, the fast of Esther, the hanging of Haman, inculcating the duty of inflicting swift and summary vengeance on all who persecuted the people of God.

“On the 3rd of March the fast commenced in the capital, and on the 4th parliament assembled. It was opened by the queen in per-

son, and the lords of the Articles having been chosen, the statute of treason and forfeiture against Moray and the banished lords was prepared. This was on a Thursday; and on Tuesday, in the following week, the act was to be passed; but it was fearfully arrested in its progress.

“On Saturday evening, about seven o'clock, when it was dark, the Earls of Morton and Lindsay, with a hundred and fifty men bearing torches and weapons, occupied the court of the palace of Holyrood, seized the gates without resistance, and closed them against all but their own friends. At this moment Mary was at supper in a small closet or cabinet, which entered from her bed-chamber. She was attended by the Countess of Argyle, the Commandator of Holyrood, Beaton, master of the household, Arthur Erskine, captain of the guard, and her secretary, Rizzio. The bed-chamber communicated by a secret turnpike-stair with the king's apartment below, to which the conspirators had been admitted; and Darnley, ascending this stair, threw up the arras which concealed its opening in the wall, entered the little apartment where Mary sat, and, casting his arms fondly round her waist, seated himself beside her at table. A minute had scarcely passed when Ruthven, clad in complete armour, abruptly broke in. This man had just risen from a sick-bed, his features were sunk and pale from disease, his voice hollow, and his whole appearance haggard and terrible. Mary, who was now seven months gone with child, started up in terror, commanding him to begone; but, ere the words were uttered, torches gleamed in the outer room, a confused noise of voices and weapons was heard, and the next moment George Douglas, Car of Faudonside, and other conspirators, rushed into the closet. Ruthven now drew his dagger, and calling out that their business was with Rizzio, made an effort to seize him; whilst this miserable victim, springing behind the queen, clung by her gown, and in his broken language called out, ‘Giustizia, Giustizia! sauve ma vie; Madame, sauve ma vie!’ All was now uproar and confusion; and though Mary earnestly implored them to have mercy, they were deaf to her entreaties: the tables and lights were thrown down, Rizzio was stabbed by Douglas over the queen's shoulder; Car of Faudonside, one of the most ferocious of the conspirators, held a pistol to her breast, and, whilst she shrieked with terror, their bleeding victim was torn from her knees, and dragged, amidst shouts and execrations, through the queen's bedroom to the entrance of the presence chamber. Here Morton and his men rushed upon him, and buried their daggers in his body. So eager and reckless were they in their ferocity, that, in the struggle to get at him, they wounded one another; nor did they think the work complete till the body was mangled by fifty-six wounds, and left in a pool of blood, with the king's dagger sticking in it, to show, as was afterwards alleged, that he had sanctioned the murder.

“Nothing can more strongly show the ferocious manners of the

times than an incident which now occurred. Ruthven, faint from sickness, and reeking from the scene of blood, staggered into the queen's cabinet, where Mary still stood distracted and in terror of her life. Here he threw himself upon a seat, called for a cup of wine, and being reproached for the cruelty of his conduct, not only vindicated himself and his associates, but plunged a new dagger into the heart of the unhappy queen, by declaring that her husband had advised the whole. She was then ignorant of the completion of the murder, but suddenly one of her ladies rushed into the room and cried out that their victim was slain. 'And is it so?' said Mary; 'then farewell tears, we must now think of revenge.'

"Having finished the first act of this tragedy, the conspirators proceeded to follow out their preconcerted measures. The queen was kept a prisoner in her apartment, and strictly guarded. The king, assuming the sole power, addressed his royal letters, dissolving the parliament, and commanding the Estates to leave the capital within three hours on pain of treason; orders were despatched to the magistrates, enjoining them with their city force to keep a vigilant watch, and suffer none but Protestants to leave their houses; and to Morton, the chancellor, with his armed retainers, was intrusted the guarding the gates of the palace, with strict injunction that none should escape from it."

The Rizzio tragedy was followed soon after by the murder of Darnley, the captivity of Mary in Lochleven Castle, the abdication of the crown in favour of the infant prince, and all the subsequent intrigues and turmoils of four Regencies. It is painful to dwell on the atrocities of these times. That age has been distinguished as the era of the great Reformation in religion; but unquestionably it was an era eminent for its unprincipled statesmen, its dishonest policy, its disregard of character, its disgusting tyranny, and its savage inhumanity. From the death of James V, in 1542, to the conclusion of the civil war, in 1572, the history of Scotland is a war of parties, a struggle between factions; and there is scarcely a single event in it of any importance that has not been controverted, or distorted, to suit the peculiar views of the antagonists or the defenders of the Queen of Scots. In these intrigues Mr Tytler has shown Elizabeth to have been an active agent, cunning and unscrupulous; and he has drawn her character in colours somewhat darker than any of his predecessors have ventured to do. We do not intend, however, to enter upon any discussion of these transactions, which are generally known, and to expatiate upon them here would only be a needless reiteration, without pleasure and without profit. In what has been written we have had chiefly in view to bring under public notice such portions of Mr Tytler's 'History' as have derived authenticity or elucidation from his discoveries in search-

ing out materials. We might have adduced more examples from his latter volumes of his success in removing doubts and adding fresh illustrations;—for instance, the plot of the English queen for having Mary put to death in Scotland;—but the details would require more space than their interest would warrant, and than we can afford to bestow. As a fitting conclusion to a retrospect of these calamitous times, we shall give Mr Tytler's very graphic description of the trial and execution of Mary.

“The privy council, meanwhile, had determined to take the responsibility of sending off the warrant for the execution upon themselves; and, for this purpose, intrusted it to Beal, the clerk of the council; who, on the evening of Saturday the 4th of February, arrived with it at the seat of the Earl of Kent; and next day, being Sunday, proceeded to Fotheringay and communicated it to Sir Amias Paulet and Sir Drew Drury. Intelligence was then sent to the Earl of Shrewsbury, Grand Marshal of England, who lived at no great distance from Fotheringay; and, on Tuesday morning, the 7th of February, this nobleman and the Earl of Kent came to the castle with several persons who were to give directions or to be employed in the approaching tragedy. For some days before this, Mary's servants had suspected the worst; but the preparations which now took place, and the arrival of so many strangers, threw them into despair. On Tuesday, after dinner, at two o'clock, the two earls demanded an audience of the Queen of Scots, who sent word that she was indisposed and in bed; but if the matter were of consequence, she would rise and receive them. On their reply that it could brook no delay, they were admitted after a short interval; and Kent and Shrewsbury coming into the apartment, with Paulet, Drury, and Beal, found her seated at the bottom of her bed, her usual place, with her small work-table before her. Near her stood her physician Burgoin, and her women. When the earls uncovered, she received them with her usual tranquil grace; and Shrewsbury, in few words, informed her that his royal mistress, Elizabeth, being overcome by the importunity of her subjects, had given orders for her execution; for which she would now be pleased to hear the warrant. Beal then read the commission, to which she listened unmoved and without interrupting him. On its conclusion she bowed her head, and, making the sign of the cross, thanked her gracious God that this welcome news had, at last, come; declaring how happy she should be to leave a world where she was of no use, and had suffered such continued affliction. She assured the lords that she regarded it as a signal happiness that God had sent her death at this moment, after so many evils and sorrows endured for his Holy Catholic Church: ‘That Church,’ she continued, with great fervour of expression, ‘for which I have been ready, as I have often testified, to lay down my life, and to shed my blood drop by drop. Alas,’ she continued, ‘I did not think myself worthy of so happy a death as this; but I acknowledge it as a sign of the love of God,

and humbly receive it as an earnest of my reception into the number of his servants. Long have I doubted and speculated for these eighteen or nineteen years, from day to day, upon all that was about to happen to me. Often have I thought on the manner in which the English have acted to imprison princes; and, after my frequent escapes from such snares as have been laid for me, I have scarce ventured to hope for such a blessed end as this.' She then spoke of her high rank, which had so little defended her from cruelty and injustice; born a queen, the daughter of a king, the near relative of the Queen of England, the grand-daughter of Henry VII, once Queen of France, and still Queen-dowager of that kingdom; and yet what had all this availed her? She had loved England; she had desired its prosperity, as the next heir to that crown; and, as far as was permitted to a good Catholic, had laboured for its welfare. She had earnestly longed for the love and friendship of her good sister the queen; had often informed her of coming dangers; had cherished, as the dearest wish of her heart, that for once she should meet her in person, and speak with her in confidence; being well assured that, had this ever happened, there would have been an end of all jealousies and dissensions. But all had been refused her; her enemies, who still lived and acted for their own interests, had kept them asunder. She had been treated with ignominy and injustice; imprisoned contrary to all faith and treaties; kept a captive for nineteen years; 'and, at last,' said she, laying her hand upon the New Testament which was on her table, 'condemned by a tribunal which had no power over me, for a crime of which I here solemnly declare I am innocent. I have neither invented, nor consented to, nor pursued any conspiracy for the death of the Queen of England.' The Earl of Kent here hastily interrupted her, declaring that the translation of the Scriptures on which she had sworn was false, and the Roman Catholic version, which invalidated her oath. 'It is the translation in which I believe,' answered Mary, 'as the version of our Holy Church. Does your lordship think my oath would be better if I swore on your translation, which I disbelieve?'

"She then entreated to be allowed the services of her priest and almoner, who was in the castle, but had not been permitted to see her since her removal from Chartley. He would assist her, she said, in her preparations for death, and administer that spiritual consolation, which it would be sinful to receive from any one of a different faith. To the disgrace of the noblemen, the request was refused; nor was this to be attributed to any cruelty in Elizabeth, who had given no instructions upon the subject; but to the intolerant bigotry of the Earl of Kent, who, in a long theological discourse, attempted to convert her to his own opinions; offering her, in the place of her confessor, the services of the Protestant Dean of Peterborough, Dr Fletcher, whom they had brought with them. Mary expressed her astonishment at this last unexpected stroke of cruelty; but bore it meekly, as she had done all the rest, although she peremptorily declined all assistance from the dean. She then

inquired what time she should die; and the earls having answered 'To-morrow at eight in the morning,' made their obeisance, and left the room. On their departure she called her women, and bade them hasten supper, that she might have time to arrange her affairs. Nothing could be more natural, or rather playful, than her manner at this moment. 'Come, come,' said she, 'Jane Kennedy, cease weeping, and be busy. Did I not warn you, my children, that it would come to this? and now, blessed be God! it has come; and fear and sorrow are at an end. Weep not, then, nor lament, but rejoice rather that you see your poor mistress so near the end of all her troubles. Dry your eyes, then, and let us pray together.'

"Her men-servants, who were in tears, then left the room, and Mary passed some time in devotion with her ladies. After which she occupied herself in counting the money which still remained in her cabinet; dividing it into separate sums, which she intended for her servants; and then putting each sum into a little purse with a slip of paper, on which she wrote, with her own hand, the name of the person for whom it was destined. Supper was next brought in, of which she partook sparingly, as was usual with her; conversing from time to time with Burgoin, her physician, who served her; and sometimes falling into a reverie, during which it was remarked that a sweet smile, as if she had heard some good news, would pass over her features, lighting them up with an expression of animated joy, which, much changed as she was by sorrow and ill health, recalled to her poor servants her days of beauty. It was with one of these looks that, turning to her physician, she said, 'Did you remark, Burgoin, what that Earl of Kent said in his talk with me; that my life would have been the death, as my death would be the life of that religion? Oh, how glad am I at that speech! Here comes the truth at last, and I pray you remark it. They told me I was to die, because I had plotted against the queen; but then arrives this Kent, whom they sent hither to convert me, and what says he? I am to die for my religion.'

"After supper she called for her ladies, and asking for a cup of wine, drank to them all, begging them to pledge her; which they did on their knees, mingling their tears in the cup, and asking her forgiveness if they had ever offended her. This she readily gave them, bidding them farewell with much tenderness, entreating in her turn their pardon, and solemnly enjoining them to continue firm in their religion, and forget all their little jealousies, living in peace and love with each other. It would be easier to do so now, she added, since Nau, who had been so busy in creating dissensions, was no longer with them. This was the only subject on which she felt and expressed herself with something like keenness; repeating more than once, that he was the cause of her death, but adding that she forgave him. She next examined her wardrobe, and selected various dresses as presents to her servants, delivering them at the moment, with some kind expression to each. She then wrote to her almoner, lamenting that the cruelty of her enemies had refused

her the consolation of his presence with her in her last moments, imploring him to watch and pray with her that night, and to send her his absolution. After this she made her will; and lastly, wrote to the King of France. By this time it was two in the morning, and finding herself fatigued, she lay down, having first washed her feet, whilst her women watched and read at her bedside. They observed that, though quite still and tranquil, she was not asleep, her lips moving, as if engaged in secret prayer. It was her custom to have her women read to her at night a portion of the 'Lives of the Saints,' a book she loved much; and this last night she would not omit it, but made Jane Kennedy choose a portion, for their usual devotions. She selected the life entitled the 'Good Thief,' which treats of that beautiful and affecting example of dying faith and divine compassion. 'Alas!' said Mary, 'he was indeed a very great sinner, but not so great as I am. May my Saviour, in memory of His Passion, have mercy on me, as He had on him, at the hour of death.' At this moment she recollected that she would require a handkerchief to bind her eyes at her execution; and bidding them bring her several, she selected one of the finest, which was embroidered with gold, laying it carefully aside. Early in the morning she rose, observing that now she had but two hours to live; and having finished her toilet she came into her oratory, and kneeling with her women before the altar, where they usually said mass, continued long in prayer. Her physician then, afraid of her being exhausted, begged her to take a little bread and wine; which she did cheerfully, thanking him, at the same time, for giving her her last meal.

"A knock was now heard at the door, and a messenger came to say that the lords waited for her. She begged to be allowed a short time to conclude her devotions. Soon after, a second summons arriving, the door was opened, and the sheriff alone, with his white wand, walked into the room, proceeded to the altar, where the queen still knelt, and informed her that all was ready. She then rose, saying simply, 'Let us go;' and Burgoin, her physician, who assisted her to rise from her knees, asking her at this moment whether she would not wish to take with her the little cross and ivory crucifix which lay on the altar, she said, 'Oh yes, yes; it was my intention to have done so: many, many thanks for putting me in mind!' She then received it, kissed it, and desired Annibal, one of her suite, to carry it before her. The sheriff, walking first, now conducted her to the door of the apartment; on reaching which her servants, who had followed her thus far, were informed that they must now turn back, as a command had been given that they should not accompany their mistress to the scaffold. This stern and unnecessary order was received by them with loud remonstrances and tears; but Mary only observed, that it was hard not to suffer her poor servants to be present at her death. She then took the crucifix in her hand, and bade them affectionately adieu; whilst they clung in tears to her robe, kissed

her hand, and were with difficulty torn from her, and locked up in the apartment. The queen, after this, proceeded alone down the great staircase, at the foot of which she was received by the Earls of Shrewsbury and Kent, who were struck with the perfect tranquillity and unaffected grace with which she met them. She was dressed in black satin, matronly, but richly; and with more studied care than she was commonly accustomed to bestow. She wore a long veil of white crape, and her usual high Italian ruff; an Agnus Dei was suspended by a pomander chain round her neck, and her beads of gold hung at her girdle. At the bottom of the staircase she found Sir Andrew Melvil, her old affectionate servant, and master of her household, waiting to take his last farewell. On seeing her, he flung himself on his knees at her feet, and bitterly lamented it should have fallen on him to carry to Scotland the heart-rending news of his dear mistress's death. 'Weep not, my good Melvil,' said she, 'but rather rejoice that an end has at last come to the sorrows of Mary Stuart. And carry this news with thee, that I die firm in my religion, true to Scotland, true to France. May God, who can alone judge the thoughts and actions of men, forgive those who have thirsted for my blood! He knows my heart; he knows my desire hath ever been, that Scotland and England should be united. Remember me to my son,' she added; 'tell him I have done nothing that may prejudice his kingdom of Scotland. And now, good Melvil, my most faithful servant, once more I bid thee farewell.' She then earnestly entreated that her women might still be permitted to be with her at her death; but the Earl of Kent, peremptorily refused, alleging that they would only disturb everything by their lamentations, and be guilty of something scandalous and superstitious; probably dipping their handkerchiefs in her blood. 'Alas, poor souls!' said Mary, 'I will give my word and promise they will do none of these things. It would do them good to bid me farewell; and I hope your mistress, who is a maiden queen, hath not given you so strait a commission. She might grant me more than this, were I a far meaner person. And yet, my lords, you know I am cousin to your queen, descended from the blood of Henry the Seventh, a married queen of France, and an anointed queen of Scotland. Surely, surely they will not deny me this last little request: my poor girls wish only to see me die.' As she said this, a few tears were observed to fall, for the first time; and, after some consultation, she was permitted to have two of her ladies and four of her gentlemen beside her. She then immediately chose Burgoin her physician, her almoner, surgeon, and apothecary, with Jane Kennedy and Elizabeth Curle. Followed by them, and by Melvil bearing her train, she entered the great hall, and walked to the scaffold, which had been erected at its upper end. It was a raised platform, about two feet in height, and twelve broad, surrounded by a rail, and covered with black. Upon it were placed a low chair and cushion, two other seats, and the block. The queen regarded it without the least change of countenance, cheerfully mounted the steps, and sat down

with the same easy grace and dignity with which she would have occupied her throne. On her right were seated the Earls of Kent and Shrewsbury, on her left stood the Sheriffs, and before her the two executioners. The Earl of Kent, the Dean of Peterborough, Sir Amias Paulet, Sir Drew Drury, Beal, the Clerk of the Privy-council, and others, stood beside the scaffold; and these, with the guards, officers, attendants, and some of the neighbouring gentry, who had been permitted to be present, made up an assembly of about two hundred in all. Beal then read the warrant for her death, which she heard with apparent attention; but those near her could see, by the sweet and absent expression of her countenance, that her thoughts were as far off.

"When it was finished, she crossed herself, and addressed a few words to the persons round the scaffold. She spoke of her rights as a sovereign princess, which had been invaded and trampled on, and of her long sorrows and imprisonment; but expressed the deepest thankfulness to God that, being about to die for her religion, she was permitted, before this company, to testify that she died a Catholic, and innocent of having invented any plot, or consented to any practices against the queen's life. 'I will here,' said she, 'in my last moments, accuse no one; but when I am gone much will be discovered that is now hid, and the objects of those who have procured my death be more clearly disclosed to the world.'

"Fletcher, the Dean of Peterborough, now came up upon the scaffold, and, with the Earls of Kent and Shrewsbury, made an ineffectual attempt to engage Mary in their devotions; but she repelled all their offers, at first mildly, and afterwards, when they insisted on her joining with them in prayer, in more peremptory terms. It was at this moment that Kent, in the excess of his Puritanism, observing her intensely regarding the crucifix, bade her renounce such antiquated superstitions: 'Madam,' said he, 'that image of Christ serves to little purpose, if you have him not engraved upon your heart.'—'Ah,' said Mary, 'there is nothing more becoming a dying Christian than to carry in his hands this remembrance of his redemption. How impossible is it to have such an object in our hands and keep the heart unmoved!'

"The Dean of Peterborough then prayed in English, being joined by the noblemen and gentlemen who were present: whilst Mary, kneeling apart, repeated portions of the Penitential Psalms in Latin, and afterwards continued her prayers aloud in English. By this time, the dean having concluded, there was a deep silence, so that every word was heard. Amid this stillness she recommended to God his afflicted Church, her son the King of Scotland, and Queen Elizabeth. She declared that her whole hope rested on her Saviour; and, although she confessed that she was a great sinner, she humbly trusted that the blood of that immaculate Lamb which had been shed for all sinners would wash all her guilt away. She then invoked the blessed Virgin and all the saints, imploring them to grant her their prayers with God; and finally declared that she forgave all her

enemies. It was impossible for any one to behold her at this moment without being deeply affected; on her knees, her hands clasped together and raised to Heaven, an expression of adoration and divine serenity lighting up her features, and upon her lips, the words of forgiveness to her persecutors. As she finished her devotions she kissed the crucifix, and making the sign of the cross, exclaimed in a clear, sweet voice, 'As thine arms, O my God, were spread out upon the cross, so receive me within the arms of thy mercy: extend thy pity, and forgive my sins!'

"She then cheerfully suffered herself to be undressed by her two women, Jane Kennedy and Elizabeth Curle, and gently admonished them not to distress her by their tears and lamentations; putting her finger on her lips, and bidding them remember that she had promised for them. On seeing the executioner come up to offer his assistance she smiled, and playfully said she had neither been used to such grooms of the chamber, nor to undress before so many people. When all was ready she kissed her two women, and giving them her last blessing, desired them to leave her, one of them having first bound her eyes with the handkerchief which she had chosen for the purpose. She then sat down, and clasping her hands together, held her neck firm and erect, expecting that she was to be beheaded in the French fashion, with a sword, and in a sitting attitude. Those who were present, and knew not of this misconception, wondered at this; and, in the pause, Mary, still waiting for the blow, repeated the psalm, 'In thee, O Lord, have I trusted: let me never be put to confusion.' On being made aware of her mistake she instantly knelt down, and, groping with her hands for the block, laid her neck upon it without the slightest mark of trembling or hesitation. Her last words were, 'Into thy hands I commend my spirit, for thou hast redeemed me, O Lord God of truth.' At this moment the tears and emotions of the spectators had reached their height, and appear, unfortunately, to have shaken the nerves and disturbed the aim of the executioner, so that his first blow was ill-directed, and only wounded his victim. She lay, however, perfectly still, and the next stroke severed the head from the body. The executioner then held the head up, and called aloud, 'God save the Queen!' 'So let all Queen Elizabeth's enemies perish!' was the prayer of the Dean of Peterborough; but the spectators were dissolved in tears, and one deep voice only answered Amen. It came from the Earl of Kent.

"An affecting incident now occurred. On removing the dead body, and the clothes and mantle which lay beside it, Mary's favourite little dog, which had followed its mistress to the scaffold unperceived, was found nestling under them. No entreaty could prevail on it to quit the spot; and it remained lying beside the corpse, and stained in the blood, till forcibly carried away by the attendants."

A. C.

ART. IV.—1. *The United Irishmen, their Lives and Times*. By R. R. Madden, M.D. 2 vols. J. Madden and Co 1842.

2. *The United Irishmen, their Lives and Times*. By R. R. Madden, M.D. Second Series. 2 vols. J. Madden and Co. 1843.

3. *A Memoir on Ireland, Native and Saxon*. By Daniel O'Connell, M.P. Vol I. Dolman. 1843.

UNTIL a period within the recollection of the youngest man living, the history of Ireland presents a dismal monotony of calamity and crime. The Irish annals are a very Jeremiad of woes. From the *Fawmorries* of earliest fable (lawless adventurers of the race of Nimrod—the name is still applied by the native Irish to strangers) to the Orangemen of recent history; from the Pentarchy which preceded the English invasion, to the legislative Union with Great Britain; from the feuds of Dermot M'Murrough and his little co-kings, to the mutual harryings and burnings of Peep-of-day Boys and Defenders,—we have a wide waste of guilt and suffering, domestic treasons and foreign oppressions, with *oases* of peace, law and order few and far between. However variously it may have fared from time to time with England, whether the government here has been wise or foolish, strong or weak, things have gone on very much the same with Ireland under English sway. The best and most popular of our British monarchs are known there only as tyrants and oppressors. The glorious and wise reign of Edward III, which gave us a flourishing woollen manufacture and reformed treason-law, gave Ireland the Statutes of Kilkenny, which made it treason for an Englishman to marry an Irishwoman, and punished, with forfeiture, imprisonment and church anathemas, the Englishman by birth or descent, who should speak the Irish language, wear Irish apparel, give encouragement to Irish bards and musicians, or let his Irish neighbour's cattle graze on his field. The politic and popular sway of Elizabeth, so productive to England of national good and glory, was in Ireland (with the brief and single exception of the administration of Sir John Perrot, when the first experiment of justice to Ireland met with the success which it has always met with) one continuous series of cruelties and crimes. Rebellion was stimulated for the sake of its uses; it was now that the discovery was made that the servants of the Crown would reap a harvest of forfeitures from every seed-time of revolt and civil war; and the “gracious

pleasure" of the sovereign, as expressed in the royal instructions to Carew, Deputy of Munster, was, that suspected Irish should be put to the rack and tortured when convenient. Even the memories which shine most brightly here, and are part and parcel of England's reputation to the end of time, are blotted and tainted there. Raleigh is known to Ireland only as the unscrupulous instrument of a ruthless tyranny; and the gentle name of Spenser is associated in Irish minds not with any Faery Queen, but with the vixen of flesh and blood at whose hands he got a forfeited estate in the county of Cork. Not as poet do the 'mere Irish' remember Edmund Spenser, but as Lord-Lieutenant's secretary, grantee of confiscated lands, and author of a plan for pacifying Ireland by famine and pestilence.

There is no relief, no variety in Anglo-Irish history, except the variety of alternated force and fraud. Tudor, Stuart, Orange or Hanover, king or commonwealth—it is all one for poor Ireland: the agents may change, but the system is the same. A pacific, scholarly James I confiscates six counties, clears half a million of acres of their legal and rightful tenants in possession, and prohibits the 'mere Irish' from ever having part or lot in his Plantation of Ulster. A Royal Martyr sells, under the name of Graces, the commonest rudiments of justice, —cheats the payers, by lawyer-quibbles, after pocketing his 120,000*l.* purchase-money,—and then sets the intellect and will of Wentworth (still remembered by the peasantry of Ireland as *Black Tom*) to keep all quiet. The reign of terror and chicane loses nothing by a change in the form of government: the old spirit lives and works in the new form. The Lord Protector of the English commonwealth has no protection to give to Ireland; but only betters the instruction of his kingly predecessors, confiscates and extirpates on a larger scale and with a stronger hand than any of them, and, by the barbarous butcheries of Drogheda and Wexford, gives point and emphasis to the mandate of Irish Catholic expulsion 'To Hell or Connaught.' A restored Charles Stuart restores not one of the rights which his usurping predecessor had taken away, but grants, instead, acts of Settlement and Explanation, by which all the wrongs of the protectorate are legalised and perpetuated. And the "glorious revolution" itself, which gives to England a Bill of Rights and to Scotland religious peace and toleration, only rivets the chains of Ireland, and produces that almost incredibly iniquitous and cruel penal code—that code of "vicious perfection"—of which Burke says,—

"It was a complete system, full of coherence and consistency,

well digested and well composed in all its parts; it was a machine of wise and elaborate contrivance, as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement, in them, of human nature itself, as ever proceeded from the perverted ingenuity of man."

This penal code, gradually enlarged and improved by the inventive malice of successive parliaments, covers nearly a century of Irish history; during which period the great body of the Irish people appear to have been preserved, partly as a source of reveque, chiefly because of the physical impossibility of exterminating them:—"The law did not presume a Papist to exist in the kingdom," said the sages of the Four Courts in the year 1759, "nor could they exist in it except by the connivance of government."* The reformation of religion, as we deem it here, reformed nothing there, but only superadded the war of creeds to the war of races. The change of England's faith from Popish to Protestant was no change for Ireland

* Dr Madden thus enumerates a few of the items of this atrocious code:

"In the early part of the reign of George the Third, Roman Catholics were debarred from holding any office in the state, civil or military, above that of constable, parish overseer, or any like inferior appointment. They could not endow any school or college; they could not contract marriage with Protestants, without subjecting the priest who solemnized such marriage to the penalty of death, if unfortunately discovered; any justice of the peace, even without information, might enter their houses by day or night, to search for arms; they could obtain no degrees in the University of Dublin; they, with all the inhabitants of this realm, were charged to attend divine service according to the established religion, upon Sundays and holidays, on pain of ecclesiastical censure and forfeiture of 12d. for every time of abs-nce. Every Catholic (male or female) of every grade, was compellable, on pain not only of fine and imprisonment, but of the *pillory and whipping*, to appear, when summoned, before any justice of the peace, to give information against any Papist he or she might know to keep arms in his house; and not the least offensive of these disabilities was, their exclusion from the exercise of the elective franchise."

To which may be added, that a Catholic could not educate his children, except under Protestant teachers; could not be guardian to his children; could not be a barrister or attorney (an exclusion which extended to the Protestant husband of a Catholic wife); could not trade in corporate towns; could not take land on a longer lease than thirty-one years: could not hold an annuity for life; and could not own a horse worth more than five pounds. There were rigorous laws (this of course) against priests and the celebration of mass. Bribery went hand in hand with intimidation. The conforming wife of a Catholic husband was jointured; the conforming priest was pensioned; and the conforming child of Catholic parents might file a bill in Chancery against his father, reducing the estate of the latter to a life-tenancy (subject to a rent-charge for "sufficient maintenance"), with remainder in fee to the convert.

Truly, the world does move after all. It takes some effort of the imagination to realise the fact that there are subjects of Queen Victoria yet living, who were born into all the complicated slavery of this viciously perfect Protestant constitution in church and state.

under English sway, except a change from bad to worse. The English domination, which we have known chiefly under the form of that horrible absurdity, the Church of England in Ireland, began curiously enough, with a papal bull commissioning a Catholic monarch to invade and conquer Ireland in order to its civilisation (a fact, by the way, which we do not observe any mention of in Mr O'Connell's *Memoir*): the Peter's-pence tribute was the consideration for which Adrian IV sold Ireland into a servitude which resulted in Protestant ascendancy and the penal code. Ireland has always had double measure of our worst things, and short measure of our best things—double measure of our Strafford and Castlereagh, and short measure of our parliamentary and municipal reform. Her own volunteers even, in achieving for their country legislative independence and commercial freedom, and demanding parliamentary reform, held fast to Protestant ascendancy, and sought to build up the fabric of Irish liberties on the basis of the continued slavery of three millions of Irishmen. And the first session of the first reformed imperial parliament produced for Ireland a Coercion Act, by way of an *experimentum in corpore vili*.* The history of Ireland, and of the English interest in Ireland, down to the year 1835, is a history mainly of the worst kind of wars—wars of races and of creeds—carried on with a full measure of the customary licence of such: and the intervals of peace which she has endured rather than enjoyed, have been intervals of “peace on the principles and with the consequences of civil war.”

The ‘Lives and Times of the United Irishmen’ constitute one of those crises of calamity and violence—we trust that future history will record it as the last—which misgovernment has from time to time produced in Ireland. We shall not now attempt any regular account, either of the causes which generated, or of the events which characterised the origin, progress and suppression of this formidable combination of Irishmen against English rule; with the leading outlines, and even with the more remarkable details of which such works as the ‘Memoirs of Theobald Wolfe Tone,’ and Mr Moore’s ‘Life of Lord Edward Fitzgerald,’ have sufficiently familiarised the present generation of readers. That, during the last decade of the eighteenth century, the speculative republicanism of the Presbyterian North, stimulated by the ideas and hopes of the French revolutionary era, leagued itself with the practical

* See Mr Macaulay’s speech in the debate on the Coercion Bill, February 28th, 1833.

wrongs and wretchedness of the Catholic South, in a secret confederacy which is without a parallel in history for the extent of its ramifications,* the completeness and complexity of its organization, the boldness of its aims, and the formidableness of its plans; that Ireland was twice saved to the British crown only by the elements;† and that the partial, irregular, in some respects the tardy, in others the premature explosion of the rebellion—with its intended leaders in prison, their original designs known and baffled, and all hope of foreign aid at an end—required for its suppression the employment of a military force of more than 100,000 men, and the sacrifice (on both sides) of 70,000 human lives;—all this is within the memory of our older readers, and within the knowledge, it may be presumed, of all. Nor do we intend to enter on the sickening detail of the atrocities and infamies of the Anglo-Irish government of that day—the “well-timed measures pursued” to cause the insurrection to explode, and the cruelties perpetrated on its deluded agents. The horrors of the too-famous Beresford riding-school, the triangles, the pitch-caps, the free-quarters, the whippings, the gunpowder scalpings, the house-burnings, the half-hangings, and other tortures inflicted for the purposes of terror, detection, and revenge (“new expedients,” says Sir Richard Musgrave in his ‘History of the Rebellion,’

* “With respect to the actual force of the United Irishmen, we find, by O’Connor’s* evidence before the Secret Committee in 1797, 150,000 men were sworn and enrolled in the province of Ulster alone. When Dr M’Nevin was asked by a member of the Secret Committee of 1798, to what number he thought the United Irishmen amounted all over the kingdom, he replied, ‘Those who have taken the test do not, I am convinced, fall short of 500,000, without reckoning women and old men. The number regularly organized is not less than 300,000; and I have no doubt all these will be ready to fight for the liberty of Ireland, when they get a fair opportunity.’”—Madden, vol. i, p. 373.

† The Bantry Bay expedition [December, 1796] comprised a force of 15,000 of the best soldiers of France, with 50,000 stand of arms and a large artillery force—the whole organized by Carnot, and headed by Hoche. A storm separated the fleet, and Hoche was driven back: but ten sail of the line, with 6,000 troops, reached the Irish coast, and lay for five days unmolested in Bantry Bay. Tone tells us that they did not see an English ship of war either in going or returning. All this, with two British fleets in the channel and an admiral at Cork.

The Texel armament [July, 1797], on which the Dutch expended “their last ship and their last shilling,” was about equal to the preceding, both in extent and efficiency of equipment. Five weeks of continuous westerly winds prevented it from putting to sea, and again the British empire escaped dismemberment. This was before steam navigation came in.

We hope our statesmen are well read in the ‘Memoirs of Theobald Wolfe Tone;’ a book which suggests the most cogent of arguments for justice to Ireland.

“resorted to by men of discernment and fortitude, to prevent the subversion of government and the destruction of society”); the refined and lucrative treacheries of the Reynoldses and Armstrongs; the tampering with the legal advisers of persons accused;* the system of terrorism and perjury conducted by Major Sirr,† with his worthy compeers Swan and Sandys, and the Major’s “people,” and the “Battalion of Testimony”—wretches regularly domiciled in the purlieus of the Castle, where they were kept, clothed and fed at the public cost, in constant readiness for every description of assize-duty;‡—these and the other abominations of the Clare and Castlereagh regime, fit to make a chapter in the ‘Celebrated Crimes’ of Alexander Dumas, we feel, for our own part, no desire to set forth in detail before our readers. At the same time we have no objection to this being done, by men who can approach the subject in the spirit and with the aim of the writer of the first of the works named at the head of this article—with the view to do justice to the dead, and give instruction and warning to the living; to teach men of the present generation “how few are the years which suffice to wither away the veil which corruption and venality have woven over delinquencies, and how soon the sons may be compelled to blush for their fathers’ deeds, and that the moral retribution of providential justice is not delayed nor limited to the third and fourth generation, but begins earlier and extends further.” And we willingly accept our author’s assistance in promoting such a kind and degree of “remembrance of past evils” as may “contribute to prevent the possibility of their recurrence.”

* That this almost inconceivable enormity was a part of the regular policy of the Irish government of that time, see in Dr Madden’s book, vol. i, p. 206.

† The case of Hevey v. Sirr [Madden, vol. ii, pp. 380—389], is a pretty complete picture, on a reduced scale, of the government of “discernment and fortitude,” and of the agents whom it trusted and patronized.

The Major died in January, 1841. We presume ‘much respected’ for one Royal Duke had honoured him with an autograph letter of approbation on his retirement from the public service; and we find him subsequently [Madden, vol. ii, p. 411], admitted to share in private the society of another. He continued loyal to the last. When Dublin Castle came under Whig rule, and reform was the order of the day, the Major was a reformer too; attended public meetings in honour of the Three Days, and polled for Mr O’Connell at the Dublin election.

‡ “Dreadful were the confessions of guilt, of dishonour and irreligion, extorted from these wretches. If their direct examination produced a list of the prisoner’s crimes, as regularly did their cross-examination elicit a darker catalogue of their own.”—‘Life of Curran,’ by his Son. Vol. i, p. 339.

We have to thank Dr. Madden, not for a good history exactly of the 'United Irishmen, their Lives and Times'—a character to which his loosely-arranged and awkwardly-written work has in truth but small pretensions; but we thank him for the industry and research with which he has rescued from the oblivion whither they were fast drifting, and placed on permanent record, a large mass of valuable historical materials relative to the men and the times designated in the title of his volumes. He has "devoted time, labour and expense, to collecting documents which, in the ordinary course of events, must soon have been lost irrecoverably;" and we are more disposed to acknowledge our obligation for what has been done, than to find fault because something else has been left undone. As our author says, "The full and faithful history of the rebellion of 1798," and of the vast conspiracy of which that rebellion was the partial and hurried outbreak, "yet remains to be written:" and it must remain unwritten until we are further remote, by another generation or two, from the passions and partisanship which still continue to render that history a portion of our politics.

"The object of this work," says Dr. Madden, "is to place before the public some of the scattered memorials of that struggle, collected from those who were actors in it. The reminiscences of those persons, it seemed to me, were likely to perish with them, had no effort been made, in their latter years, to preserve them. Most of these persons were far advanced in years—some, indeed, on the verge of the grave—and during the last seven years (the period of collecting these materials) many of them have died."

Our author has that first essential qualification for success in such a task—a thorough interest in his subject. It is a true labour of love with him. We may call him the Old Mortality of the United Irish Covenanters; a title which the reader of the curious narrative in vol. ii, pp. 270—275, will find to be even literally applicable to one part at least of his labours. It is right to add that he evinces likewise that other essential qualification for a collector of historic materials—thorough impartiality and mental honesty. He is somewhat of a hero-worshipper, but he worships with the understanding, and without sectarian partisanship. Dr. M. promises the public another series of his work; and if he continue to supply us with reminiscences of the actors and sufferers in the history of that time, of the same order of interest and evident truthfulness with Nicholas Murphy's account of the arrest of Lord Edward Fitzgerald, and Maria Steele's recollections of the Brothers Sheares, we shall be glad to renew our acquaintance with him.*

* Since writing the above, we have received the second series of 'The

To the characters and fate of these brothers Sheares, Dr Madden has devoted the larger part of one of his volumes; and there is no portion of his work which we have read with more interest, or which seems to us better fitted to illustrate the events, and point the moral of this chapter of Irish history. Nothing can better show both the quality of the materials of which the United Irish combination was composed, and the character of the government which drove good men to live the lives of conspirators and die the death of traitors, than the career of these brothers; which, as traced in the work before us, may take rank with the 'Life and Death of Lord Edward Fitzgerald,' as an epitomised illustration of the whole annals of that time.

Henry and John Sheares were sons of Mr Henry Sheares, a Cork banker and a member of the Irish parliament; a man of considerable learning and ability, and whose memory is cherished to this day in his native city with veneration and attachment, in connexion with various benevolent institutions which he founded or promoted. The brothers, though united in their lives as in their deaths, were utterly dissimilar in character. The pleasure-loving, facile, free and open Henry, of generous sympathies, luxurious habits, and expensive tastes, largely gifted with the courage of a man of honour, but possessing little of true mental fortitude, fitter by intellect and temperament for his early military profession than for his later avocations of law and politics; and the intense, earnest, but limited nature of John, who "bought nothing but books," and whose superior mental energies and boldly-formed and asserted opinions gave him a disastrous ascendancy over the weaker and looser mind of his elder brother, are well discriminated, as the fate in store for such men in such times is already foreshown, in the following very interesting communication, with which the

United Irishmen, their Lives and Times,' containing memoirs of Samuel Neilson, Thomas Addis Emmet, Dr Macneven, Arthur O'Connor, William Sampson, and Henry Joy McCracken, with the promise of a third and concluding series to be published in October. We may take an opportunity of recurring to these volumes when Dr Madden shall have completed his work. Meanwhile, we must repeat the expression of our sense of obligation to the biographer of the 'United Irishmen,' for the industry and impartiality with which he is prosecuting labours whose results cannot but be highly valuable, both as regards the history of the past and the politics of the present. We sincerely wish that these volumes may have a wide circulation. Never was a more timely publication. We have here a most potent persuasive to that justice to Ireland which is now, more than ever, the first duty and necessity of Great Britain. Our heart's desire is that both there and here, by the Government and by the people, the lessons which come out from the 'Lives and Times of the United Irishmen,' may be read, marked, learned, and inwardly digested.

author was favoured by a lady recently deceased, of the name of Maria Steele; a name which "will be associated with that of John Sheares, as that of Amelia Curran is with Robert Emmett's."

"Both the brothers had been United Irishmen more than a year, when I first knew them in 1794: and they attended the meetings of that society, as many others then did. A speech that was made at one of those meetings gave Lord Clare an opportunity of speaking disrespectfully of them in the House of Lords, the consequence of which was a demand for an explanation from the eldest. They had become United Irishmen at the same time; but there was nothing legally criminal in their proceedings till 1798. * * *

"Henry lived beyond his income; his affairs were somewhat embarrassed, and he sold a part of his property; he also borrowed a good deal from John, who at one time wished to reside apart from his brother, but could not, on that account. He was successful at the bar, till the Chancellor became the enemy of the brothers. Lord Clare's enmity was chiefly against Henry. John had no quarrel with him; but on their conviction, it was said, he could not be spared and Henry put to death. After Henry's correspondence with the Chancellor, he prevented them from doing business in his court as lawyers. John then became exasperated, and spoke more severely of him than he had done before, on account of his politics. He always thought him an enemy to Ireland. When I knew the brothers, in 1794, they had been at the bar some time, and lived together in Henry Sheares's house, in Baggot street.

"Henry Sheares was naturally high-spirited, eloquent in discourse, and possessed of a remarkably martial and noble bearing; but his great hauteur and want of discretion would have made him a bad leader in any public cause. In his domestic relations he was warm, tender, indulgent, willing to promote every present amusement,—but wanting calculation and foresight for the future. I have always heard he was a fair scholar; and have heard good judges say that they had never seen a library so admirably selected as that of the Sheares's. Henry was not considered so deeply read as John. He did not give so much time to study; but he never appeared deficient in company, either with the learned, or with those whose reading lay more amongst works of imagination and modern literature. He spoke with great fluency and elegance on literary subjects, but not without a degree of characteristic pride. His disposition was most generous; but he was not patient or forbearing. He would have made a good despot, if there can be such a thing. He spoke with much violence at times, even in society; but though haughty, and sometimes fierce, he was not of a cruel temper. He used to talk of republicanism—but he was formed for courts. He loved power, and splendour, and luxury. The self-denying virtues he knew not. He was, however, an accomplished gentleman, fond of society, and capable of adding lustre to the most brilliant circle.

“ If it were possible for either brother to have acted on the proclamation attributed to John, found at the house of Henry, it was more so for the latter than for John, who was supposed to have written it; but Henry was as incapable of deliberate cruelty as his brother.

“ When I first became acquainted with the brothers, in 1794, I heard that John was six-and-twenty, and Henry about five-and-thirty. The latter looked a great deal older than his brother. John was considered greatly superior to his brother in talents. My intimacy with him commenced in 1794; at that time he was in the habit of attending the meetings of the United Irishmen. He was a firm republican in his principles; but a stranger to violence of any kind, till his mind was overwhelmed. His character seemed changed after Christmas, 1797; he was very desirous then to leave Ireland.

“ In regard to the proclamation found in his desk, I believe he was the writer of it; though that was never fully proved. At the time when it was supposed to have been written, he appeared so altered, that those who used to delight in listening to him would scarce know him. His mind seemed to have lost its balance. Even his dress was not the same—his hair was neglected, &c., &c. In March, 1798, he became a member of the Directory, and then first took any active part in the rebellion: I do not think he desired a revolution, till at a very late period of the struggle. In becoming a United Irishman, his views were, like those of all the educated and honourable persons of the society—Catholic Emancipation and Parliamentary Reform. At first there were more Protestants than Roman Catholics engaged in it; and much more in the north than any other quarter of the kingdom;—it was latterly that it became a religious struggle. I might say that John Sheares was naturally inclined to republicanism; but he afterwards thought that Roman Catholics were not suited for republican institutions. He used to laugh at titles, and make little of grandeur; and with respect to resistance—he thought no war justifiable but a defensive one. His characteristic qualities were—benevolence, and filial and fraternal affection—a love of his fellow-creatures, and an anxiety to befriend them. As a son, as a brother, as a friend, I have never seen him surpassed.

“ The brothers loved one another with extraordinary affection; and yet they were very different in their tastes and sentiments. Henry talked about republicanism, but John was an enthusiast in his attachment to it; all his habits of thinking tended that way. It suited the simplicity of his character, and the total absence of vanity that distinguished him; but he often said it would not do for Ireland.

“ In his person he differed strikingly from his brother. His air was gentle and unassuming, but animated and interesting. You ask, was he of a sanguinary disposition? He was quite the reverse. He had a most tender heart, and benevolent disposition. While he was

himself, he would not give pain of mind or body to anything that lived."

Such were the men to whose lot it fell to attempt the execution of the long-meditated designs of the United Irishmen, at a time when all their best men were in prison, their plans known, their secrets betrayed, their expectations of foreign aid disappointed, when the heart of the people was sick with hope deferred, and dismayed by the violences of the incipient reign of terror, and not a reasonable prospect of success remained. The arrest of the Leinster delegates at the house of Oliver Bond, on the 12th of March, 1798, and of the leading men of the Union the day following, was a death-blow to the plans of the society. Thomas Addis Emmett, M'Neven, and O'Connor, the only members of the Directory on whose discretion and working talents full dependence could be placed (Lord Edward Fitzgerald was trusted chiefly as a military leader) were now in the hands of the government, and a speedy dissolution appeared to await the headless trunk of the once so formidable confederacy. It was at this crisis that the younger Sheares assumed that part in the affairs of the Union which, in the course of a few weeks, brought him and his brother to the scaffold. It was a desperate business, and it was not in the nature of things that it should end otherwise than as it did end. "The informer was amongst them," says the unnamed writer of the 'Historical Introduction' with which Dr Madden has prefaced his work—

"The informer was amongst them, with the price of their blood in his pocket; their plans were made known to the government as soon as they were formed; the snares of death compassed them around; the hand that clasped them in simulated friendship had written their doom; the lips professing the warmest zeal in their cause had sworn to their destruction. They had, in fact, become mere tools in the hands of the very government which they had intended to overthrow; they were mere puppets, to be worked until they had produced so much alarm as their rulers deemed necessary for ulterior objects—and then to be delivered over to the executioner, with the double odium upon their memory, of having been at once dupes and conspirators."

There is no need of detailing the proceedings of the society under the management of John Sheares; in which we confess ourselves unable to discover the traces of that "discretion" with which our author has liberally credited him, in addition to the qualities which he undoubtedly possessed of activity, boldness, and decision.*

* See the violent and foolish letter "to the Author of Coercion" (Lord Clare), intended for publication in the 'Press;' the indiscreet talking of

The thing which strikes us as worthiest of notice, and most fruitful of instruction in this matter, is the silly and self-complacent confidence—a confidence which would be ludicrous if it were not melancholy likewise—with which men whose every step was dogged, whose every thought was known, who lived and moved daily and hourly in an atmosphere of espionage and treachery, could boast in print of their organization, their secrecy, their vigilance, and their dexterity in eluding the watchfulness of a government which had every man of them all the while under its eye and in its hands;—an instructive lesson, by which later Irish reformers and agitators appear to have well profited, on the utter insecurity and hollowness of all secret and illegal combinations. To those who hold with ourselves, that the cause of the United Irishmen was, essentially and in the main, the cause of right against wrong, there is something painfully incongruous, dismally absurd in such eloquence as the following, written five days after the arrests at Bond's:—

“For us, the keen but momentary anxiety, occasioned by the situation of our invaluable friends, subsided, on learning all the circumstances of the case, into a calm tranquillity, a consoling conviction of mind that they are as safe as innocence can make men now; and to these sentiments were quickly added a redoubled energy, a tenfold activity of exertion, which has already produced the happiest effects. The organization of the capital is perfect. No vacancies existing, arrangements have been made, and are still making, to secure for our oppressed brethren, whose trials approach, the benefit of legal defence; and the sentinels whom you have appointed to watch over your interests stand firm at their posts, vigilant of events, and prompt to give you notice and advice, which, on every occasion at all requiring it, rely on receiving.

“This recital, Irishmen, is meant to guard those of you who are remote from the scene of the late events, against the consequences of misrepresentation and mistake. The most unfounded rumours have been set afloat, fabricated for the double purpose of delusion and intimidation. Your enemies talk of treachery, in the vain and fallacious hope of creating it: but you, who scorn equally to be their dupes or their slaves, &c.”

And yet at this very moment, Thomas Reynolds, the cause of the “situation of our invaluable friends,” continued to be

which, before its appearance, occasioned the seizure and stoppage of that journal. One specimen may suffice:—

“The hand of Fate seems upon you, and you still go on as foolishly confident and as madly gay as the insect that flutters around the torch, or the bird that cannot resist the fascinations of the serpent’s jaws that are extended to devour him.”

Clare-and-Castlereagh tyrannies have not much to fear from conspirators who talk about “madly gay insects” and “serpents’ jaws.”

trusted by the United Irish leaders, and was still in the habit (though not unsuspected by the shrewder ones) of attending their meetings. A few weeks later we have the elder Sheares, the day before his own arrest, recommending Armstrong (who had been running backwards and forwards for ten days together between the brothers and Lord Castlereagh) to be cautious; "for he and his brother had escaped by their caution, and the government then thought them to be inactive." The truth is, every secret and illegal combination contends at fearful odds against an established government, which is already in possession of the forces of secrecy and combination, with the prestige of legitimacy besides; and this United Irish conspiracy had nothing, either in its materials or in its management, to exempt it from the common fate of such associations. We agree with Dr Madden, that—

"This organization, instead of being calculated to baffle detection, tended directly to excite attention, to awaken suspicion, to induce a false security, to keep treachery concealed—in short, to lead to discovery. There was too much organizing in the directory—too much marshalling of men on paper—too much vapouring in the columns of the 'Press' and the 'Northern Star'—too much barking where and when there was no power to do more—to lead to any other result than that of exasperating opponents, and of nurturing agents for the destruction of the confiding party in the bosom of their own society. Emmett was lamentably mistaken in his view of the matchless fidelity of the members of the Union to their cause. One man's infamous celebrity in the society, as an informer, at this time was only known to Emmett; but, in the lapse of years, the facts which have transpired in relation to the question of the continuance or discontinuance of pensions, and the nature of the services for which they had been granted, have brought the names of individuals connected with the society, whose fidelity to it was considered by its leaders as beyond all suspicion, into juxtaposition with those of Messrs Reynolds and Armstrong; and in this catalogue of treachery the names of persons are to be found, who were at the same time the prominent partisans—nay, the professional advocates—of the party committed in this unfortunate struggle, and the secret agents and paid servants of the government employed as spies on their own accomplices and companions."

The history of the betrayal of the brothers Sheares is so strongly characteristic of the government that needed and employed such agencies, and at the same time so instructively illustrates the inherent weakness of that sort of conspiracy which permits and invites their application, that we make no apology for giving it at length:—

"The new directory had fixed on the 23rd of May for the rising

of the people. On the 10th a Captain John Warnford Armstrong,* of the King's County Militia, a company of whose regiment was then stationed at the camp of Lehaunstown, in the vicinity of the metropolis, visited Dublin, and made an apparently casual call at the bookshop of Mr Byrne, of Grafton street, which he had long been in the habit of frequenting. Byrne's establishment was the literary head-quarters of the leaders of the United Irishmen—himself a well-known member of their society.† Armstrong was accustomed to buy there the publications of the day, of a republican and deistical tendency. By his own account, he was in the habit of procuring such works as Paine's 'Age of Reason,' 'Common Sense,' &c. &c.

"That Byrne had good reason to think he understood the principles of his customer is evident from his introduction of this man to the Sheares—an honour unsought and unsolicited by either of the brothers.

"Captain Armstrong states that he had 'known Byrne, as his bookseller, for about two years; he was there almost every day.' On the 10th he states, Byrne asked him 'had he any objection to meet Mr Sheares?' To which he replied, 'he had not.' 'He did not know Byrne's purpose.' He had followed him out when he had made the proposal; 'at the time it was made they had not been speaking'—(on the subject of politics). But subsequently, on cross-examination, being asked 'if the proposal to become acquainted with the Sheares was merely a wish of Mr Byrne?' Armstrong replied, 'I do not know with whom the wish originated.'"

"It is needless, perhaps, to make much comment on the nature of his mission.

"Armstrong, on leaving Byrne's on the 10th of May, immediately proceeded to his brother officer, Captain Clibborn, and informed him of what had passed.† The latter advised him 'to give the Sheares a meeting.' He then returned to Byrne's late the same day, and remained there till Henry arrived. Byrne led him to the inner part of the shop, towards a private room, and introduced him to Sheares in these terms: 'All I can say to you, Mr Sheares, is that Captain Armstrong is a true brother, and you may depend on him.'

"They remained at the entrance of the private room; but Henry Sheares declined any conversation, 'except in the presence of his brother.' Armstrong said, 'he had no objection to wait until his brother came.' Henry, however, declined to wait; and, shortly after, John Sheares arrived, and was introduced to him by Byrne.

"John Sheares told Captain Armstrong, 'he knew his principles

* Dr Madden informs us that this person is still living, "and has long been distinguished for his zeal and activity in his magisterial office." It is pleasant to find that the retribution of history is not always posthumous.

† In his evidence on the trial he says—"I never had an interview with the Sheares, that I had not one with Colonel L'Estrange and Captain Clibborn, and my Lord Castlereagh."

very well.' He then solicited him 'to join the cause by action, as he knew he had done by inclination;' and Armstrong replied, 'he was ready to do everything in his power for it, and if he could show him how he could do anything, he would serve him to the utmost of his power.' Sheares then informed him, he states, that the rising was very near; 'they could not wait for the French, but had determined on a home effort;' and the principal way he could assist them, was by gaining over the soldiers, and consulting with him about taking the camp at Lehaunstown. John Sheares then made an appointment with him for the following Sunday, at his house in Baggot street: and on that day he went and found Henry only at home. He apologised for leaving him on the former occasion, 'having had to attend a committee that day.' The informer states, he then asked about the camp, where it was most vulnerable? how to be most advantageously attacked? John came in, and spoke about the necessity of gaining over the soldiers, and then informed Armstrong that their intention was to seize the camp, the artillery at Chapelizod, and the city of Dublin, in one night: there was to be an hour and a half between the seizing of the camp and Dublin; an hour between seizing Dublin and Chapelizod; so that the news of both might arrive at the same time.

"The 13th, on Sunday night, at eleven o'clock, by appointment, Armstrong had another interview with the brothers at their house, for the purpose of getting the names of some soldiers in his regiment who were known to the United Irishmen.

"On Wednesday, the 16th, Armstrong went to the house of his victims, but neither of them were at home; he returned to their house at six o'clock in the evening, and was shown into the library. He saw John Sheares, who told him 'he would introduce him to a friend of his (Surgeon Lawless), with whom he might consult and advise in his absence, as he must go down and organize Cork; the news of the rising of which was to reach Dublin at the time of the outbreak there.' * * * * *

"The following day, Thursday the 17th, this indefatigable officer was in pursuit of his newly-made friends; there was no escaping his assiduity, he was again at their hall-door, and was again admitted—a new victim was to be gained in the person of Surgeon Lawless. Both brothers were present at this meeting. Lawless, according to Armstrong, informed him that 'he had lately attended a meeting of deputies from almost all the militia regiments in Ireland, at which meeting there were two of his men.' He said he would obtain their names from a man (probably M'Cabe) who had been very active in making United Irishmen in every regiment that had been in Dublin for two years past. At this meeting Henry Sheares was implicated by Armstrong in the knowledge of the military organization.

"One might have thought sufficient had been gained at that morning's meeting, and the unfortunate family might have been spared its destroyer's presence for the remnant of that day. Again, however, that evening, Mr Armstrong was at their house. He was

shown into the library; Henry was not there; but John was 'at home' to him; and a written introduction was obtained from him to one of the sergeants of Armstrong's regiment, who was a United Irishman. Lawless, at the morning interview, Armstrong says, spoke 'of the trees to the right of the camp, as being very convenient for hanging people,' in reference to the supposed successful issue of the rising. * * *

"At the interview with the Sheares on Sunday, the 20th, John Sheares told Armstrong, 'he had that day called at Lawless's, and that he believed he had absconded, for he was denied to him.' On the part of the executive, he informed Armstrong, that 'they had resolved to appoint him to the command of the King's County regiment.' He further informed him, that 'on the night of the rising in Dublin, the lord-lieutenant was to be seized, and all the privy council, separately in their own houses. That, when the privy council was seized, there would be no place to issue orders from, so as to counteract the rising; and in case of a failure of the attack on the camp, on the march of the soldiery into town, through Baggot street they had a sufficient number of houses there in their interest, to shoot them from, so as to render them useless.' All this part of the conversation was represented to have taken place while Henry had been present. Captain Armstrong did not think it necessary to state, that at his Sunday's interview he shared the hospitality of his victims; that he dined with them, sat in the company of their aged mother and affectionate sister, enjoyed the society of the accomplished wife of one of them, caressed his infant children; and on another occasion (referred to by Miss Steele) was entertained with music—the wife of the unfortunate man, whose children he was to leave in a few days fatherless, playing on the harp for his entertainment! These things are almost too horrible to reflect on. * *

"Armstrong, after dining with his victims on Sunday, returned to their house no more. This was the last time the cloven-foot of treachery passed the threshold of the Sheares';—on the following morning they were arrested, and committed to Kilmainham gaol."

The infatuation of the victims and the industrious espionage of their betrayer were not at an end even yet:—

"Other informers, when they have once wormed themselves into the confidence of their victims, and have possessed themselves sufficiently of their secrets to bring them to the scaffold, rest from their labours, and spare themselves the unnecessary annoyance, perhaps a feeling of remorse, at beholding the unfortunate wretches they have deceived, when they are fairly in their toils, and delivered over to the proper authorities. In Ireland, there is no such squeamishness in the breasts of our informers. No sooner was the younger Sheares safely lodged in the Castle guard-room, than he received a visit of condolence from Captain Armstrong, on the very morning of his arrest. He was asked by the prisoner, if his brother was taken? and Captain Armstrong answered, 'I do not know.' The unfor-

fortunate young man then asked him if his papers had been seized? Captain Armstrong replied, 'I do not know.' John Sheares then said, he hoped not, for there was one paper among them that would commit him.

"His opening his mind at all on the subject proves that, when he made these inquiries, he had no suspicion that he had been betrayed by Armstrong.

"The same strong delusion continued to screen Reynolds's treachery from the generous mind of Lord Edward Fitzgerald. He continued to receive the visits of the informer after the arrest of his associates, and his poor lady even was not exempt from the infliction of his presence. This mode of recreating his feelings, for these visits were not essential to the objects of his employers, was a customary indulgence."*

The dangerous paper alluded to by John Sheares (which, in the event, was the chief overt act of treason laid in the indictment against the brothers) was a certain proclamation, of a most violent and infuriated character, breathing out threatenings and slaughter, war and vengeance, against the oppressors of Ireland; a proclamation of which we cannot well say a worse thing than that its words nearly come up, in vindictive and sanguinary *furor*, to the same mark with the deeds of the abominable government which was driving good men mad. This proclamation, designed for use in the anticipated event of a successful insurrection, was found, in a scrawled and unfinished state, in John Sheares's writing-desk. It was in his own hand-writing, and not a particle of proof was ever adduced, direct or circumstantial, to connect his brother with it; in fact, the evidence is clear and full that Henry Sheares was ignorant even that such a document existed; and John Sheares, while perfectly prepared for his own fate, never doubted of the acquittal of his brother. But Lord Clare had an old grudge against Henry Sheares, for having crossed him in love, sixteen years before. Lord Clare had always a good memory (as in Curran's case) for the resentments of Mr Fitzgibbon. After this, the issue hardly needs to be told. The brothers were arraigned on the 12th of July; the Attorney-General, Toler (a man after the Chancellor's own heart, appointed specially for the occasion), indulged in a licence of invective and misstatement which has no parallel in the legal history of England since the century before last; the trial was hurried on with

* Dr Madden says elsewhere—

"It was a peculiar feature of Reynolds's infamy, that he seems to have felt a gratification in witnessing the effects of his proceedings on the unfortunate families of his victims. A few days after the arrests at Bond's, he paid a visit of condolence to Mrs Bond, and even caressed the child she was holding in her arms."

† See it given at length, Madden, vol. ii, pp. 234-237.

brutal and indecent haste (Curran had to begin the defence past midnight, after having vainly implored a few hours' interval "for repose, or rather for recollection"); and, after sitting for twenty-two hours continuously, the jury retired for seventeen minutes, and found a verdict against both the prisoners. A manly and most touching address of John Sheares to the court, praying a few days' respite for his brother—"the husband, the father, the brother, and the son, all comprised in one person"—was met by the Attorney-General's prayer "that execution may be done upon the prisoners to-morrow;" to which the Court responded, *Be it so*: and it was so.

In conformity with the almost incredibly cruel custom of that cruel time, no member of their family was allowed to see them.

So perished men who, in better times, and under a government of ordinary justice and humanity, might have benefited and adorned society. This case of the brothers Sheares contains, in small, the whole history of that epoch. There is no need to multiply illustrations; one may serve for all. Lord Clare, Captain Armstrong, and John Sheares, may be taken severally as impersonations of the forces which then rent that wretched land. The government, its agents, and its victims—all are here fitly represented. A lawless and vindictive tyranny, working with the basest of tools to revenge itself on men whom its own crimes had made criminal—this is the abstract and brief chronicle of the 'Lives and Times of the United Irishmen.' We are not indiscriminate admirers of these United Irish patriots. Many of them were rash, violent, foolish, fanatical, vain-glorious: their scheme was a great impossibility, and they were not the men to succeed in it had it been possible; nor do we think it at all clear that their success would have contributed to the real happiness and good government of Ireland.* But their worst faults show almost as virtues, in presence of the acts and the agents of the government against which they conspired.

It is cheering to turn away from this guilty and miserable past—from which it is truly amazing to think that we are separated only by St George's Channel and forty-five years—

* Most assuredly not, if we may infer the probable results of success from their own proclamations, prepared for use in anticipation of that event. That of John Sheares has been already mentioned. See also (Madden, vol. ii, p. 233) the ferocious document bearing the name of "General James Napper Tandy," supposed to be in command of the "Northern Army of Avengers."

to the more tranquil present and hopeful future; and to note those signs of progress and of promise which, in the midst of a multitude of yet unredressed wrongs and unremedied evils, may assure us that the re-enactment of any such tragedy as that of the United Irishmen, their Lives and Times, is a simple impossibility. Not that the temper of the extreme partisans of Irish politics is very greatly amended; but their power of mischief is abated. The old *virus* of Orangeism still works in the temper of a faction, though Orange lodges have lost government favour and patronage: and the dangerous Repeal agitation of Mr O'Connell might easily become far more dangerous, under the stimulus of a revival of that Clare and Castlereagh regime which turned the originally peaceful and legal society of United Irishmen into an army of conspirators. But the Clare and Castlereagh regime cannot be revived. It existed only by the ignorance and apathy of England: and England now cannot be ignorant, and will not be apathetic, as to anything that passes in Ireland. Never again shall a Lord-Lieutenant's Secretary loll on his sofa in Dublin Castle, regaled by cries from the court below of the tortured victims of strong government and Protestant ascendancy; nor shall a Thomas Reynolds again get five thousand pounds of the public money in six months as the reward of treachery and the price of blood. Those times are gone, to come again no more, though Exeter Hall rant and roar its loudest. What is done in Ireland cannot now be unknown in England: this is our great reliance for justice to Ireland, and for that peace and progressive prosperity which follow in the train of justice. Truly says Dr Madden, —

“To ignorance alone of the use of torture in 1798 can be attributed the impunity—so far as the silence on this subject of public opinion in England may be so considered—with which these horrid outrages against humanity have been perpetrated in Ireland. For otherwise, what idea could be formed of the spirit of philanthropy, which carries its sympathies to the remotest regions of the globe—which extends its protection to the victims of cruelty and rapacity of every creed and clime—no matter of what complexion accounted by their oppressors ‘incompatible with freedom’—no matter of what tenets derogatory to divine truth, and degrading to man's nature—and could yet withhold its pity and its sympathy from those who are nearest to its influence, and, therefore, especially entitled to its aid? The same mighty spirit that called forth the indignation of the people of England against the oppressors in the West Indies, that caused the echoes of the cries of the negro slaves to resound in the ears of the English people, while one human being was left subject to the lash, would surely have roused the lion-heart of England to an

ebullition of noble resentment at the first intimation of the outrages on humanity that were committed on the Irish people in the riding-school of Beresford, the provost of Sandys, the public buildings of the city, and at the drum-head court-martials in Wicklow, Wexford, and Kildare, if there were not mightier influences at work, that rendered communication between the victim of cruelty and the advocate of mercy more difficult across the Channel than it ever proved to be across the wide waters of the Atlantic. * * *

“The recent atrocities committed in Damascus, on the unfortunate Jews of that city, no sooner were made known in England, than the outrages perpetrated on these victims of fanaticism and rapacity called forth the general indignation of the press and people of this country, and the sufferings of these poor strangers promptly awakened the sympathies of Englishmen of all parties. The victims of oriental cruelty were indeed few in comparison with those of Irish fanaticism; the whole number of persons subjected to the torture of the ‘cour-bash’ in Damascus, did not constitute one-thousandth part of the numbers tied up to the triangles and tortured with the scourge, or tormented with pitch-caps, in the Irish prisons and provosts, in the year 1798. Can it be imagined that humanity admits of one measure of compassion for the sufferings of the Jews of Damascus and another for those of the Christians of Ireland? It cannot be admitted without injustice to the character of British philanthropy, nor can the difference in the manifestation of public opinion in both cases be reconciled without referring to the fact of the publicity that was given to the one by the powerful influence of the wealth and station of the leaders of the Jewish people in Great Britain, and the studious concealment in the other of the enormities committed on the part of an administration which had broken down the power and the credit of its opponents.”

The “studious concealment” would now be impossible. And it is this impossibility which constitutes our best guarantee against the future and prolonged perversion of the power and resources of England to the oppression of Ireland. At the beginning of this century Ireland was a distant colony; Ireland is now the western division of Great Britain—its capital within twenty-four hours’ journey of the metropolis of the empire. Irish politics are now British politics. Whatever is done there is known here. One single instance of the revival, in these latter days, under a mitigated form, of the abominable spy-system, we have seen more widely exposed and heard more indignantly denounced in England, than were all the triangle and pitch-cap atrocities of 1798; and when an Irish Chief-Justice, presiding over a press prosecution, preaches up the old Tory doctrine on the subject of ‘liberty’ and ‘licentiousness,’ not three days elapse but all England hears of it, and the crimined offender gets due castigation from the head-quarters

of British public opinion. Every dismissal of a magistrate for holding Repeal opinions is duly recorded with the rest of our daily news; Repeal speeches on the Curragh of Kildare and the Corn Exchange of Dublin are reported as regularly as our own parliamentary debates; the mad talk of 'civil war' sends down our Three per cents.; and a ship of war cannot sail from Dublin to Waterford on the Saturday, on the fool's errand of putting down a rebellion that never existed, but all England laughs on the Tuesday. The power is not on earth that could oppress Ireland again, as Ireland has been oppressed: the steam ship, the railway, and the newspaper forbid the experiment being tried, almost as certainly as the growth of Ireland's four millions into eight ensures that, if tried, it would fail. The true antagonist force to the wrongs of Ireland is that fusion—lamentably incomplete as yet, but in the natural course of things progressively advancing towards completeness—of the interests, opinions and wills of Great Britain and Ireland into one, which is the real UNION of the countries; and whose ultimate term will be the rendering the names of Beresford and Jocelyn in Ireland what those of Dalzell and Lauderdale are in Scotland—memorials of a time interesting to history and useful for the purposes of fiction, but of no sort of significance in the world of actual and living politics.

We cannot find much fault with Mr O'Connell for not being of this opinion. Experience has taught him to trust in agitation rather than in gradual and tranquil "fusion;" and small would be our hope of this, if there were not in Ireland energy and heart enough to continue that, while a particle of Anglo-Irish misrule remains. So long as Ireland is cursed and insulted with the pestilent nuisance of the Protestant Church Establishment, and its adjuncts and conditions; so long as an atom of the Protestant ascendancy subsists, either in legislation or administration; so long as the property-right, divorced from all property-duties, means the right of starving Irishmen at will on their own soil; so long as legislation and magistracy are sectarian and partisan (of minor grievances we need not speak—they follow these as the shadow follows the substance); so long as Ireland is mocked with nominal union and insulted with actual inferiority, there will be, and there ought to be, agitation. The cry of 'peace, peace,' would come with an ill grace from Englishmen while we are maintaining a system which is in itself a standing *casus belli*,—and we are in no humour for criticising the phraseology in which wrongs are denounced to which our own supineness makes us a party.

Still we must beg to assure Mr O'Connell that he does us wrong when he writes a book to tell his countrymen that the English people hate the Irish people; that

"The bad passions of the English people, which gave an evil strength to the English government for the oppression of the Irish, still subsist, little diminished and less mitigated."—P. 46.

And that—

"Even the present administration is popular in England in the precise proportion of the hatred they exhibit to the Irish people; and *this* is a proposition of historic and perpetual truth."—P. 321.

This is not true; and Mr O'Connell ought to know that it is not true. He might as well assert that the present administration is popular in England in the precise proportion of the hatred they exhibit to the Anti-Corn-Law League and Mr Cobden, and that *this* is a proposition of historic and perpetual truth. The present administration does not seek to obtain and extend that popularity in England of which it stands so sorely in need, by adopting the 'alien' speech of its own Lord Chancellor as the programme of its Irish policy, or by placing Lord Stanley's registration bill on the statute book. The present administration, while necessitated, by its position in Ireland, to keep on what terms of amity it can with the old ascendancy party, is also necessitated, by its position in England, to pledge itself "to pay court to no party, but do justice to all,"—to be "not the government of a party, but of the whole Irish people." The pledge has certainly not been redeemed; but as certainly those who gave it never dreamed that it involved a forfeiture of any portion of their very scanty allowance of popularity in England. Mr O'Connell himself at this moment, representative, as he is, of the alien creed and the alien race, has more popularity in England, for his own single share, than the whole cabinet together can muster among them. The English people have assuredly no right to hold themselves guiltless of all share in the sins of English governments, past and present, against the peace and the rights of Ireland: but our share in those sins is infinitely less than that of an active aiding and abetting, than of an indolent and apathetic *laissez-faire*. "It has pleased the English people in general," says the author of the 'Mémoir on Ireland,' "to forget all the facts in Irish history, and they have been also graciously pleased to forgive themselves all those crimes." This too easy forgetting and forgiving of crimes to which our own negligence has made us a party, is in truth the sin of the people of England against Ireland and the Irish; not hatred of Ireland, but apathy, indifference, careless igno-

rance about Ireland; an apathy, indifference and ignorance, however, which are year by year diminishing, and which we were never less chargeable with than at this hour. Mr O'Connell may assure himself that the present misgovernment of Ireland in general, and the state and doings of the Irish church in particular, are not otherwise the act of the people of England than are our own Corn Law and Income Tax.

Mr O'Connell's panacea for the ills of Ireland is not ours: we believe neither in its practicability, nor in its efficacy if practicable. Repeal of the Union, without Separation; two independent and co-equal legislative bodies, with one executive head—the whole to be done amicably, by vote of the imperial parliament—we hold this to be a simple impossibility.

We dare not affirm that Separation is impossible: with our present rulers, there is really no saying what, in the way of mischief, is possible or impossible: these men, or some of them at least, have a genius for disorganization which may, for aught we know, be competent to the dismemberment of the empire. But the amicable repeal, the co-equal independence without separation, is a thing of which impossibility may be safely predicated. The amity and the repeal are mutually incompatible. Whenever the attention and sympathies of the British people shall be sufficiently aroused to the rights and wrongs of Ireland to demand a full and complete measure of justice to Ireland, the demand will be not for the repeal of the union, but for the perfecting, the equalizing, and the consolidation of the union. The distinction between repeal and separation exists only on paper. The argument for repeal is, in fact, an argument for separation; and the desire for repeal would, if stimulated either by its own realization or by a violent and tyrannical resistance, pass by the easiest transition imaginable into the desire for separation. The mere circumstance of the union of two crowns on one head—the “golden and unonerous link,” as Mr O'Connell calls it—would be of small avail to keep together two independent, mutually suspicious and unfriendly nations, having opposite or supposed-opposite interests. We object to repeal, as we would object to separation, because the two countries are, in all their real and permanent interests, one; one as England and Wales are one; and the cause of peace and civilization demands their social incorporation and political unity.* With the circum-

* We do not mean here to prejudge the question of how far the principle of local government—legislative as well as administrative—for local purposes might or might not be of beneficial application to Ireland. That the enactment of such a thing as an Irish canal or road bill should involve the condition preliminary of an examination of witnesses at Westminster, is

stances under which, and the means by which the Act of Union was originally carried, we do not think that we have now much concern. Our business is not with the past, otherwise than to appropriate and apply its lessons, but with the present and the future; and no government on earth could stand if the test of legitimacy were to be sought in the morality of dead men's deeds. The *sait accompli* has its 'natural rights,' and must be judged by its own merits, not by the legitimacy or illegitimacy of its parentage. The cruelties of Clare and the briberies of Castlereagh have just as much to do with the question of what constitutes now good government for Ireland, as have the massacres of Cromwell, the bull of Pope Adrian, and the border feuds of the Pentarchy. Our remedy for the wrongs of Ireland—a remedy which has at least proved feasibility on its side—is JUSTICE TO IRELAND; that justice of equal and impartial law which, the very few times that it has been tried, has never been tried in vain, from the administration of Sir John Perrot to that of Lord Normanby. Not the union, but its long delay and its subsequent incompleteness, is the real grievance to be redressed. The true programme of Anglo-Irish policy, as of common justice and common sense, has been on the rolls of parliament these two centuries past, waiting its realization from the wisdom and justice of a better time, in that statute of the eleventh of James the First, which abolished all legal distinctions of race between English and Irish, *with the intent that they may grow INTO ONE NATION, whereby there may be an utter oblivion and extinguishment of all former differences and discord betwixt them.*

Much undoubtedly has been done towards the realization of this intent. We have seen the beneficent process of 'oblivion and extinguishment' going on at a more rapid rate of progress, during six years of administrative justice to Ireland, than the most zealous and sanguine unionist could have imagined possible;—when the Tory accession came to revive the abominable *status in quo* of 'differences and discord,' and renew expiring feuds between the alien bloods, languages and religions of

certainly an extension of the centralisation principle for which we have not a word to say. Our House of Commons has more to do than it can do well; and it is worth inquiring whether certain of its functions might not be advantageously delegated to local representative bodies. There is no reason why the inquiry should be limited to the case of Ireland. The recent ecclesiastical schism in Scotland may suggest grounds for the 'repeal' of so much of another Act of Union as places the interest dearest to Scottish hearts, and the institution which is associated with the noblest recollections of Scottish history, at the mercy of an assembly of individuals not one in ten of whom knows or cares anything about the matter. This whole question of the respective spheres and limits of central and local government is deserving of more attention than it has yet received.

Celt and Saxon. Much has been done: but it is only the more needful that ALL were done, and that soon. It is very well for good, placid, easy-souled people to compare past with present, and boastfully tell us how much has been achieved for Ireland within so brief a segment of a nation's life as half a century:—abolition of penal code; legal equalization of creeds; Orange lodges dissolved by Royal mandate; Orange yeomanry disbanded; unsectarian schools established; sectarian municipalities disestablished; a six years' successful experiment of justice to Ireland, with all its blessed results of tranquillity and improvement. It is easy to say that Toryism itself is not what it was; that Ireland has had worse Lord Lieutenants than Earl de Grey, and has not had many better men for Chief Secretaries than Lord Eliot. All quite true: and all nothing to the purpose. Ireland has prodigiously improved since that dismal period which we have reviewed in the foregoing pages, and is by many degrees better governed, or less atrociously misgoverned, at this moment, than at any time during the seven centuries ending in the year 1835. But Ireland, because improved—and in the exact proportion of her improvement—is more sensitive to misgovernment now than at any time during those seven centuries. A government whose only quotable merit is the being better, or less bad, by never so many degrees, than that of Clare and Castlereagh, is no government for Ireland as Ireland now is.

We pray all Englishmen to lay this to heart—that the Irish people have now attained majority. The old traditional English notion that Irishmen are a sort of grown children, to be coaxed or whipped at pleasure, or at best to be indulged with a good-natured, contemptuous tolerance—we cannot too soon get this clear and clean out of our heads. Ireland has made the greatest political discovery—that of passive resistance, and has put forth the greatest moral effort—that of national reform of a national vice, which this century has to show. Eight millions of temperate men “grown electric,” and cool withal; sagacious as resolute; impatient of wrong, but most patient in waiting an opportunity for redress; organisable and organised, and led by a man of Titanic force with the generalship of a Hannibal—are not to be trifled with. A nation that does its rebellions without breach of the peace, and accomplishes the ends of insurrection by the means of passive obedience, and meets the menace of civil war by pointing to empty gaols and maiden assizes—a nation that, in the very heat and thick of a struggle for national independence, stirs not a step without taking counsel's opinion, is absolutely unconquerable except by frank

and full conciliation. Will our rulers please to recollect—rather, will those who rule our rulers, and must pay the penalty of our rulers' misdoings, please to recollect—that this is a new fact in the world, a *casus omissus* in the strategy of oppression. If Ireland would but rebel, as in 1798, how easy it were (perhaps) to crush her in one campaign!—but Ireland will not rebel—on an uncertainty. She bides her time; determined that this once there shall be no mistake. We have no taste for the contemplation of extreme possibilities of mischief: but as the hideous word “civil war” has been spoken in Parliament, and all the *materiel* of civil war got ready, it is time to ask—looking away from the highest right to the lowest prudence of the case—is it quite certain that we can beat this people in civil war? And is it not quite certain that the result, to Great Britain, of such a war (let the victory go as it might) can be no other than financial exhaustion, political weakness, and moral infamy?

We leave this anxious subject with many fears; but with the one preponderating hope that there is right-heartedness enough yet in Great Britain, to save us from the wicked madness of trying at this time of day to re-conquer Ireland otherwise than through her reason and affections.

P.

ART. V.—*Lope de Vega's Gatomachia.*

BEFORE the present number will be in the hands of many of our readers, another Parliamentary Session will have closed; the great “wit combats” of the legislative wisdom of the country will be suspended, the clang of words will have ceased, and all parties will have agreed to a hollow truce for the usual period. The season will have arrived when the London press have no deeds to relate beyond an occasional murder; no speeches to report; when wandering Rhapsodoi lay aside their harps, and hunger for “an event;” when a “wide-ruling” minister no longer declares his intentions; when an Achilles radical *αγαπηρῶς ἐπείσσειν* no longer denounces those intentions as unconstitutional, unreasonable, and unjust; when the ancient scene of warfare is a scene of peace: and the wind plays idly within those halls which

have so often trembled with the eloquence (and grammar) of illustrious members.

We are describing a season of public calamity ; a period when the ruling passion of the English nation finds the smallest food for its gratification. What is to become of a people who have but abandoned the cockpit of their ancestors for a great political amphitheatre, in which to see orator pitted against orator, *ins* wrestling with *outs*, and who throw down their newspapers with impatience when they contain no account of a disastrous retreat, or splendid victory. And behold, the whole world has sunk into a state of inglorious repose. Turks, Druses, Maronites, and Lord Palmerston, have ceased to trouble Syria. The British troops in India have fairly got out of the trap in which they were caught by the chiefs of Afghanistan ; the Ameers of Scinde have allowed themselves to be involved in a decisive engagement, almost the first and last of a campaign which it was hoped would afford much agreeable excitement to newspaper readers ; the Emperor of China has (not to borrow a metaphor) put his tail between his legs ; and we have almost given up the hope of hearing either from Algiers, or any other quarter of the world, of a battle on a large scale, with some thousands on both sides stretched upon the field.

Happily no narrative has yet appeared in an English dress of the wars of the feline race ; wars in which deeds were performed demanding the sacred lyre, and which worthily inspired the muse of Lope de Vega. In his golden verse the bloody *Gatomachia* of Homeric nature is to be read — by all who can. Unfortunately, many are unable, because no new method has yet been prepared by the Committee for Education, of “Spanish for the Million.” It is in the high spirit of philanthropy that we step forward to remedy the Spanish obstacle by an English version. No such thing, we believe, exists in our language, not even an analysis. There is a French translation by M. Damas Hinard,* to which some ill-natured critics might declare our version was largely if not wholly indebted ; an assertion which we anticipate, but shall treat with “silent contempt.”

One word more by way of preface. Lope de Vega wrote his poem in lively, elegant verse ; we present it to the reader in drab-coloured prose. The reason is simple : verse, to be tolerated, must be excellent ; prose, more modest in its pretensions, is more readily received. We do not feel ourselves equal to Lope's verse, and therefore trust to the reader's indulgence of our prose.

CANTO I.

I sang formerly of forests and of fields—of forests swarming with wolves, and of fields full of flocks and flowers; I who sang of war, and of the combats by which kingdoms have been lost and won, I come now to sing, on a more joyous instrument, of the sweet caresses and fatal rages of love, but I shall sing them like a man who has forgotten neither the clang of the trumpet nor the rolling of the drum.

Venerable muses of Castalia, I invoke ye; inspire me! With the genius you have bestowed on me, I celebrate the wars, loves, and adventures of two valiant cats.

And in such a project there is nothing to astonish. When so many men go to the dogs, why should not a poet devote himself to the cats? Has not a cat frequently consoled us for the ingratitude of princes and the inconstancy of fortune?

And thou, Don Lope,* if by chance the Dutch corsairs, those wild cats ever on the watch for our money, leave thee one leisure moment in those seas in which thou art at present steering, return, I intreat thee, into its scabbard thy valiant sword,—that sword with which thou ledest to the onslaught, and deign to listen to the most perfect of poems, my famous *Gatomachia*. As a reward, may thy fame extend from the depths of India to the country of the Laplanders! Mayest thou be rewarded by a glory equal to thy exploits!

A little indolence is not unsuited to heroes. The severest warrior may sometimes doff his brilliant armour, and lay down his arrogant plumes. Has not more than one painter represented the god Mars unhelmeted by the white hands of Venus?

Once more had spring appeared; the zephyr's sweet breath warmed all nature, and Flora, with her cheek of roses and lilies, walked abroad, scattering flowers.

On a fine spring morning, the beautiful Zapaquilda, more spruce and reserved than a convent puss, sat on the top of a roof inhaling the fresh air, and with enchanting indolence licking her soft coat and tail. In default of a mirror she contemplated herself in her own mind, and saw herself reflected therein as perfectly charming. When well washed and in good order, she purred in an under tone some unknown air; but so sweetly and so perfectly that the Thracian musician, had he heard her, would have been jealous, and the rats and mice who listened were lulled into security by the syren strains.

At that time, Marramaquiz, a noble Roman cat, the first and

* What Lope is meant here? Is it Lope de Vega himself, or his son named Lope after him? As the '*Gatomachia*' was published in 1634, it seems at first as if the apostrophe was addressed to young Lope, then serving in the Spanish armies. But on the other hand, it is positively known that Lope de Vega only published his poems twenty or thirty years after their composition, and this leads us to think that it was himself he was addressing, perhaps in order to announce himself in an indirect way as the author of the poem.

largest in the world, as proud as he was amorous, with fine mustaches and eyes glittering like carbuncles,—Marramaquiz, I say, saw approaching Whisker his squire, a cat of La Mancha. Whisker informed him that the beauteous Zapaquilda had just appeared in the sunshine, more brilliant than the rose, and was purring a marvellous song with soft incomparable grace. At this news Marramaquiz became inflamed with love, for it is possible to fall in love at a distance as well as in the charmer's presence. He announced that he was going to Zapaquilda without delay.

Marramaquiz was handsome; but he was nevertheless desirous of enhancing his beauty by dress. He put on small clothes which became him well, elegant shoes, and a handsome collar; took his richest sword, and threw a scarlet cloak over his shoulders according to the French fashion.* As to his head dress, it was composed of a graceful velvet cap, surmounted with a red, green, and grey plume, that is to say, with three parrots' feathers. Our hero had himself destroyed this parrot. He killed him one day as the unfortunate bird, sitting on his perch, was imprudently occupied in repeating his accustomed burden:

Who goes there?
Who goes there?
The king is passing,
Going out hunting.

The king was Marramaquiz, who coming parrot-hunting, sprang upon and killed him.

Thus equipped, Marramaquiz was charming, and, even in the opinion of Venus, would have carried off the prize from Adonis.

When his toilet was ended, he asked for his charger, and Whisker immediately brought him a female monkey. He sprang on its back and rode off. You might have fancied you saw the paladin Roland going to visit the beautiful Angelica.

As soon as she saw him, our wise virgin, prudent nymph, assumed a deportment full of gravity. She cast down her eyes, licked her lips like a greedy child who has just eaten its *manteca*,† and in order to prevent any indiscreet attack, she chastely put her tail under her, and seemed to envelope herself in a veil of modesty. She knew that a virtuous maiden must be circumspect in proportion as she is beautiful.

Nevertheless, Marramaquiz spurred on his Tetuan courser, and caracoled in the presence of his beloved to prove the strength of his passion; then alighting, he advanced cap in hand towards the lady,

* *La capa colorada,*
A la Francesa.

In Spain, in the time of Lope de Vega, black was the only colour worn at court. In one of our poet's comedies, when one of the characters admires a coloured coat, another one replies: "A coloured coat on a courtier is like a black one on a soldier. The court dress is simple and black."

—V. *Las Fiestas de Madrid*, Jorn. ii.

† Buttered toast.

and began to speak of love. She timidly blushed; but soon yielding to the sweet sentiment which oppressed her, she granted him some slight favours. But at the moment they were enjoying this delicious *tête-à-tête*, and sighing forth their mutual happiness, they suddenly heard a terrible noise: it was a clerk in the neighbourhood, who had fired off a gun, loaded with small shot, through a loophole placed at the extremity of his terrace. The monkey was wounded—wounded on that part of her body on which she was accustomed to sit, and she set off running—running away frightened, and neither pages nor footmen were able to arrest her flight.

As on a fine summer's day, the sky becomes suddenly clouded, and torrents of rain fall, accompanied by the sinister roll of thunder, terror seizes the timid flocks which but a moment before were joyously feeding in the field; rams and ewes fly, not without leaving to the bushes a little black or white wool, and await the reappearance of the sun to gladden the face of nature before returning to their accustomed haunts; so flew our cats through passages, garrets, and gutters, mewling tragically—so flew our monkey, one hand placed on her wounded part, westward, between the two poles.

Whilst these things were passing, whilst Marramaquiz continued to pay his court to the beauteous Zapaquilda, he pressing and daring, like a gallant inflamed with love, she always modest, reserved, and most charmingly disdainful; Fame, that monster with a hundred eyes and a hundred mouths, which has the privilege of passing through the three first of the four elements—air, earth, and water—in any way it pleases, and would pass through the fourth if necessary, had already flown over both hemispheres, everywhere praising the grace, beauty, and virtue of Zapaquilda—exaggerating, according to its old custom.

It said that nothing so perfect had ever before appeared on earth. At this news all the cats were moved, and all prepared to come and see her, in hopes of obtaining the sweet rewards of love. Some hastened post, by land, bringing with them nothing but feathers, a ribbon, a coat and small-clothes, in order to arrive the sooner. Others, separated from her by the vast ocean, embarked in light canoes with a splendid equipage, braving both storms and Neptune. More than one, I was informed, came *incognito* by some ingenious stratagem. Never in the course of centuries had such multitudes of cats been seen: there was not a roof, not a chimney-pot, on which there was not some cat in love, mewling and sighing; and more than one, I was assured, fell from the top of a house into the street, as it occasionally befalls other gallants when seeking adventures. Terror reigned among all the animals that feared our lords the cats. The pert sparrow feared to leave his nest—the green lizard peeped carefully around before he ventured out of his hole, and the rats remained concealed as if there was neither paper nor cheese in the world. *Apropos* of rats and paper, I must say that during this period no poet complained that an immortal poem of his own was eaten up by the mice during the night. But I must also say that this was well compensated for, and

that great evils resulted from this concourse of cats. No pie, hash, or ragout was in safety in the larders; what was worse, the black pudding itself, when hung up to smoke in the large chimney, was no longer safe from the attacks of these rapacious gentry; everything which our gallants saw, or smelt speedily became their prey.

With this immense concourse of cats had arrived a cat named Mizifouf, with a roguish eye, a turned-up nose, the breast and legs as white as snow, and a back as black as jet. He was renowned afar off for his elegance, his valour, and his tail; he was Mars and Apollo combined. Mizifouf, when he saw the beautiful cat, more brilliant than a newly-cleaned silver dish, adored her; from that moment thoughts of her alone filled his mind—day and night he was incessantly walking about the roof which she inhabited, with a large suite of lackeys and pages; and he did right, for by this means he won the heart of Zapaquilda. Yes, the ungrateful one loved Mizifouf, forgetting Marramaquiz and the faith she had vowed him. Oh, charm of novelty! Superior power of a strange cat with broad shoulders, curly coat, and elegant manners! After this, trust coquettish cats! But who would have expected such inconstancy from the prudish Zapaquilda? Who could have thought that she would have forsaken the valiant Marramaquiz for a cat whom she had two or three times seen prowling near her, and who had brought her a pig's foot, some black pudding, and a few sausages?

At last, worn out with anxiety and jealousy, the unfortunate Marramaquiz fell ill. He became worse—a fever seized him. Merlin, who attended him, and was celebrated ten leagues round for his wisdom and experience—Merlin ordered bleeding. Zapaquilda heard of this—her heart was touched by it, and she came to see the gallant, although he lived in a garret the entrance to which was so steep and narrow that the carriage could not drive up to it. Having alighted, she entered, accompanied by her squire and a lady in waiting. They gazed at each other—he mewed tenderly, she assumed a graceful and coquettish attitude; then, after a few moments, she gave him, as a tonic, the leg of a goose and some other delicacies, which her attendant Bugalic had brought.

Marramaquiz, in feline language, then began his complaint, which in the vulgar tongue might be translated thus:—"Oh, beauteous Zapaquilda! wherefore didst thou so unjustly forsake me? Is, then, Mizifouf lighter and more amiable than I am? Has he more courage or a handsomer tail? Hast thou, then, forgotten that I chose thee from among all those who disputed with thee the prize for elegance and grace? . . . Was this what a faithful lover deserved, who, during a severe winter, passed every night on the roofs surrounding thy dwelling, with his axe and sword, and whom every dawn found there covered with hoar frost, and frozen like a Spanish soldier who travels through Flanders, his musket on his shoulder? If I have not given thee damask, velvet, and rich stuffs, it is because thou hast no need of vain ornaments to enhance the charms which nature has lavished on

thee. Hast thou not seen me ever eager to offer thee whatever I thought might please thee? Have I ever failed to steal for thee fish or birds, pie or sausages, from the kitchens? I feared nothing for thy sake—for thee I braved every peril. . . . Alas, and what has so entire a devotion availed me? What a destiny is mine! . . . And yet, vanity apart, I am not so ugly. Yesterday I saw myself in a pail of water which had been drawn from the well to wash the house with, and as I did so, I said—This, then, is what Zapaquilda disdains! Oh, love! wilt thou not make her repent her folly?”

The haughty sunflower, which may be considered as a giant among flowers, bends its head beneath the too powerful rays of the planet from which it derives its name; the sullen child, when it has cried sufficiently, throws itself, worn out with fatigue, into its mother's arms. These two images may convey an idea of the state of dejection of Marramaquiz when he had ended his discourse.

Zapaquilda, alarmed at the sobs and heart-rending sighs of Marramaquiz, and fearing lest he should break some blood-vessel, kindly raised her tail and passed it twice over his face. This was enough to revive him—it would have sufficed to recover him from the arms of death; then, in a sweet and honeyed tone, she said, “Your love is very suspicious. How can you let such fancies enter your mind? Is it not an affront to me? is it not an affront to yourself? . . . Mizifouf, it is true, is most assiduous in his attentions, and speaks everywhere of his passion. But I love you—I love no one but you; and you may rely for ever on my fidelity.” Having said this, the beauteous Zapaquilda closed her rosy lips. Young ladies never speak much on such occasions, and they are right, for they do not possess the experience of married women and widows in love matters.

Meanwhile night was spreading over the sky her mantle spangled with stars, which sparkled like diamonds; the chattering birds were silent. A page then came to announce to the lady that the carriage was ready, and the two lovers separated, after politely saluting each other with their tails.

CANTO II.

Oh, jealousy! what torments hast thou caused! When that libertine, Jupiter, transformed himself into a bull, a swan, and a golden shower, to obtain the favours of Europa, Leda, and Danae, the unhappy Juno must have been deeply mortified, and it is wonderful that she did not then commit some terrible folly. But I have here no need to trouble myself about the gods of the mythology, I have enough to do with my cats, and I return to them. The valiant Marramaquiz was beginning to get cured of the moral wounds which Mizifouf had inflicted on him; and though still pale, was prowling about on the roof of his fair ingrate. Alas! ought such coquettes ever to be trusted? What good, what reward can be expected from them?

The charming Zapaquilda was at her balcony, awaiting Mizifouf,

when his page, a distant relation, named Garraf, arrived. He carried a tray covered over with a cloth in one hand, and a letter in the other. When she saw him, she raised her tail and waved it to and fro, as a sign of joy; she took the narrow gilt-edged tray, which had come direct from the East Indies, at the same time looking slyly to see if there was not some little delicacy for her,—for cats, as you know, are naturally greedy, and must not be judged by their hypocritical affectation; before therefore, interrogating the page, she wished to see what he brought, and the sight delighted her. It was a piece of cheese of considerable weight, garnished with eggs, bacon, and some of the fruit of those pine trees which are to be seen on the banks of the Guadarrama, on the road to the wood of Segovia. There were, moreover, as wedding presents, two of those pink ribbons with which women decorate their pet cats in imitation of ear-rings. After admiring these presents, and placing them near her, she took the letter, in which she read these words:—

“Sweet lady, sweet and beloved one, you whom I prefer to everything in this world, deign to receive this cheese and garnish, and permit me to offer you these pink ribbons in token of the sincerity of my love.” . . .

Zapaquilda had proceeded thus far, when the jealous Marramaquiz, who, from the summit of an adjoining roof, was contemplating this horrible treachery, suddenly appeared, and furious, seized with one paw the fatal letter, and pounced with the other on the plateful of delicacies. The unfortunate Garraf stood there stupified, like a school-boy caught in the act by a severe master. Marramaquiz, no longer able to restrain himself, gave him two or three blows with his terrific claws, then taking him by the nape of the neck, he threw him into the air, where the unfortunate messenger turned and twisted about. So, at tennis, a vigorous and skilful player throws to a distance the ball which his bat has struck.

This done, Marramaquiz, his eyes sparkling, and foaming at the mouth, tore his rival's letter to pieces, and threatened the terrified Zapaquilda. At the same time, as if to assuage his fury, he destroyed the garnish of bacon, eggs, and fine kernels, and cursed the hand which prepared them for that day's dinner. Who would ever have ascribed the jealousy of love to such causes? At last, however, our cat took flight. You should have seen her run; she was so nimble that you would have compared her to that amazon who ran over a field of wheat without bending the ears as she passed (which is not one of the least suspicious stories which venerable antiquity has transmitted to us). While running, she invoked the god of love; she vowed that if she escaped safely from her terrible gallant, she would offer up to him next season a bow and arrows of costly workmanship.

As to Marramaquiz, he swore to forget the faithless one, never to see her again, and to go and question some sage in what manner he should revenge himself. But, vain oaths! love never fulfils the threats uttered in a transport of jealousy, and a crying woman is very powerful; you come to scold her, and you engage yourself

deeper than ever, believing a thousand lies' on the strength of one little tear.

Meanwhile the unhappy Garraf returned, lamed, to Mizifouf, with most melancholy mewing. When he saw the sad plight his page was in, Mizifouf felt a sinister presentiment, and his heart was touched: "Friend Garraf," said he, "what is the matter? Whence comes this melancholy appearance?" . . . Then Garraf, waving his tail slowly to show his anger, told him the whole adventure; how Marramaquiz, in his fury of jealousy, had taken from him the presents and the letter, and how the frightened Zapaquilda had run away through the garret, her tail turned up with considerable energy. He told also how he had received such a blow from the jealous one that it drew blood, and had been thrown from the roof into the street. He concluded by adding that his rival had taken an oath to punish him for having dared to address his lady, and intended, as an insult, to wear as trophies on his shoes the two ribbons which Mizifouf had sent.

- I will not attempt to describe the effect of this recital upon Mizifouf. You might have thought it was Agamemnon, when he sent into Troy that famous wooden horse which contained a thousand heroes armed with steel and fire, who were to destroy the city of Priam. On hearing the excesses his odious rival had committed, Mizifouf mewed, I was almost going to say neighed, with fury; and on his side also vowed to take some terrible revenge.

Marramaquiz, in despair, was travelling towards a sombre forest, there to seek the sage Grafignant. It was the hour at which night begins to fold up her starry mantle. It was the hour at which the lovely Aurora, after stealthily quitting her old husband's couch, sheds on our gardens those crystalline tears which the sun's rays transform into so many diamonds.

The sage, Grafignant, was an old cat with a white beard, stiff mustaches, and a venerable tail. He had one slight defect,—he squinted with one eye. But he was deeply versed in natural and moral philosophy. He lived in the depths of the wood, in the hollow of a rock surrounded by a precipice, which preserved it from wild beasts,—as is said of the cave of Polyphemus. He despised riches. He loved only the beneficent warmth of the planet which illumines the world; and, like Diogenes, would have requested Alexander to withdraw from his sun. Among other sciences, he was deeply learned in astrology. But he abstained from prophesying the future; he said that futurity was the secret of heaven, unknown to mortals. He never composed an almanack to announce that figs would be seen at Troy, grapes at Naples, and lentils at Paris; that some person of consequence would die in the course of the year, without mentioning where; and that, from the position of Venus, there would be quarrels caused by women, which is certainly nothing new.

But to return to my tale; when Marramaquiz had explained to him his situation, Grafignant told him that he ought to renounce

the ungrateful Zapaquilda; that there is nothing more painful or senseless than to love without return; and that there was but one consolation and revenge, which was to transfer his affections to some other cat. At these words Marramaquiz, perceiving that he had nothing more to hope for on earth, sadly bowed down his head. Nevertheless, not to appear ungrateful to Grafignant, he gave him a sausage which he had brought, for it is a crime not to reward science, and one very often perpetrated.

On his way back, Marramaquiz, pre-occupied with Grafignant's counsels, asked himself to which cat he should pay his addresses, when he suddenly remembered the beautiful Micilda. She was the cat of a neighbouring apothecary. He had often seen her sitting on her roof, like a noble lady in her drawing room, slyly watching a nest in which some imprudent sparrows left their scarcely hatched brood. One hot morning in the month of May, at the hour when the rose leaves wither, scorched by a too powerful sun; at the hour when the Spanish cavalier takes his siesta, Micilda, seated at no great distance from the habitation of Marramaquiz, was washing her face and beautifying herself with her white paws. Marramaquiz, who was already on tolerably good terms with her, was preparing to come to the *rendezvous*. At that moment it so chanced that Zapaquilda arrived on the same roof. Marramaquiz, thinking this a fine opportunity for exciting her jealousy, advanced tenderly and boldly towards Micilda, whose beauty was enhanced by her modesty. He began to murmur some tender words in her ear; but, strange capriciousness of the human heart! whilst thus cruelly revenging himself on Zapaquilda, he felt the most tender sentiments for her; and whilst speaking to the other, he looked at Zapaquilda with eyes in which she might have read more love than hate. As to Micilda, as her heart was still a novice, she listened with joy to the protestations of the deceiver, her tail agitated like the waves of the sea.

The indignant Zapaquilda—for the ladies, however inconstant they may be, cannot put up with indifference where they have always found respect—murmured and threatened in a low tone of voice. Micilda noticed her anger, and defied her. Every moment might be expected one of those conflicts which sometimes surprise us, between two high-born and high-bred persons. Thus, as when a bone has been thrown between two dogs, they look and growl a long while before daring to fight, and end by flying on each other, tearing and biting until a servant comes to separate them with a stick, and obliges both to leave the spoil. Much in the same fashion, in this tragic scene of which Marramaquiz was the bone of contention, did the two ladies, after looking a long while, spring on each other, scratch their faces, and tear one another's clothes, until, exhausted with fatigue, they fell together from the top of the roof into the street; a fall I cannot think of without shuddering, for it was no less than five stories high!

But what is Marramaquiz doing? He had proudly witnessed the combat of which he was the cause; and when he saw the two

cats fall, he laughed triumphantly, so great is the pleasure a jealous lover finds in revenge.

CANTO III.

It was that period of the year when the days and nights are of equal length, and the sun scorches with its rays the Indian who formerly adored it; it was the hour at which the pale Diana, in company with the polar-star, that true lighthouse to the seaman, had taken the place of the brilliant Apollo. It was at that period, at that hour, that the valiant Mizifouf traversed with a firm step his lady's roof.

She, in consequence of the accident we have mentioned, had been bled, and by the doctor's orders had kept her bed for two whole days. During those two days the kitchen was free from any care.

Never was there a more elegant cavalier than Mizifouf. He wore a polished steel helmet, surmounted with feathers taken from a poor sparrow he had captured by his agility alone, without any stratagem. He had covered his head with a helmet because cats, although long-lived, are very tender in that part. He was provided with an axe, which was concealed by a scarlet cloak. By his side hung a brilliant sword, which he himself called the terror of cats. Thus walked the new Durandarte, announcing to the world the lady he adored.

He had brought with him two musicians, who sang most sweetly, accompanying themselves on their instruments, and who, when arrived under the beautiful Zapaquilda's balcony, commenced a ballad, which Mizifouf had composed for her; for Mizifouf, I had forgotten to tell you, was a fashionable poet, and like them, did not always understand his own writings.

Zapaquilda was at her window, defended against the cold air by a hood in which the careful hand of Busalie had wrapped her. She listened to the music with a disdainful air. In the midst of the ballad she interrupted the musicians to order them to sing a joyous Xacara,* and they sang the newest of the kind. Alas! the grave and heroic are not appreciated now! It is an universal folly, and even the most affected cats only like Xacaras. After this, the musicians sang the exploits of a famous bandit, for such are the heroes our poets celebrate; and they must do it if such is the will of the public. Woe to him who does not minister to the pleasures of this capricious tyrant! Were he a Virgil he must expect to die in a hospital! Whilst these things were passing Marramaquiz was reposing on his couch, made of the skins of rabbits, who but a short time before joyfully nibbled the wild thyme; but cruel death spares no one here below. When I say that Marramaquiz was reposing I make a mistake. The cares of love kept him in continual anxiety, and after several hours' wakefulness he sprang from his couch. He arose with the same sentiments which prompted Count Claros † in

* The Xacara was the air of a dance.

† The loves and the jealousy of Count Claros have been celebrated in the romances of chivalry.

similar circumstances, armed himself in haste, and went prowling about the environs to see if some Moor did not appear on the frontier. He soon perceived that he was not mistaken; and, in truth, it is very rare that our presentiments deceive us.

How shall I paint to you what he felt on beholding Mizifouf and Zapaquilda *tête-à-tête*? He sighed and murmured, like a slender reed bent by the wind; and he felt himself by turns scorched with heat and frozen with cold: various and singular effects of one and the same cause! Confounded, distracted, he gazed at Zapaquilda, who spoke from her window to her lover, regardless of the dawn, which had already driven away night from the sky, except in the horizon, where still lingered one diamond in the corner of her mantle. He saw the musicians singing and playing on their guitars with as little precaution as if they had been in the midst of the fields.

All lovers have the same improvidence; all fall into the same perils by their own faults. It was thus that Mark Antony forgot himself at the feet of Cleopatra, a charming nymph of Memphis, never reflecting in his blindness that Cæsar might come at any moment and disturb his pleasures. The resemblance is exact in all points. Marramaquiz was a Roman, like Cæsar; he was no less brave and valiant than Cæsar; and on due consideration of his merits, he might have been called the Cæsar of the gutters.

"Ah!" Mizifouf was saying with a sweet purr, "ah! charming friend, when will our wedding-day arrive, that day on which I shall call you wife! On that day I shall for the first time bless my fate. But alas! ladies, your species is cruel. Jupiter, who metamorphosed himself into a bull, an eagle, and a swan, to seduce rebellious nymphs, never dreamt of transforming himself into a cat. He did well!"

To all this the lady replied in a tender and plaintive voice, "Oh! would to heaven that to-morrow was the day of these long-desired nuptials! But this infamous, perfidious, jealous Marramaquiz is the obstacle to my happiness. It is not for myself, certainly, that I fear; but, believe me, as soon as he heard of my marriage, he would be transported with fury, and I should tremble for your life; for he is as brave as he is strong, and his wounded pride would render him unmanageable. Would it not be better to rid ourselves of him by poison?"

"What," replied Mizifouf, furious, "is it for such as he that I am obliged to renounce your hand! Is it he, madam, who opposes my happiness. Is he then, perchance, more valiant than I? Are his claws sharper, and do his teeth cut better? Am I not Mizifouf? Are you, then, ignorant that I am descended in a direct line from the famous Zapirou, who, after the waters of the deluge had subsided, became the procreator of our whole race? But you love him, deceitful one; you love Marramaquiz; or, at least, you dread that chicken-hearted villain who is only valiant in the kitchen. I mistake; there is one exploit in his life; he has struck my squire, Garraf, a young cat just arrived from his village, and whose chin

can hardly boast of down ! Is not this a famous Scipio, a valiant Hannibal, a redoubtable Cid, to delight these eyes ! Ah ! if I had been on the roof at that moment, I swear to you that he should not have carried off, as he did, the presents I sent you. And you wish me to get rid of him by poison ! . . . No, no ! that death should be reserved for kings, and for princes, placed by their birth above all human laws ; but it would be too much honour for a miserable tom-cat, whose ears I will bring you at the first opportunity, and whose skin will make me a dressing-gown this winter."

Have you not sometimes seen the bull of Parama armed with his terrible crescent, his eye on fire, and his mouth foaming, rush furiously on the Andalusian or Valencian cavalier, it matters not which (a bull never inquires the country), and bury eight or twelve inches of his horns into the entrails of the horse through its gilded harness, whilst the innocent quadruped looks tranquilly on at his approach, thinking that the other wants to play with him. Such was Marramaquiz when he rushed furiously on Mizifouf.

"Infamous Mizifouf !" cried he, "none but women are privileged to speak ill of the absent. I am Marramaquiz, I am more noble than every other cat, beginning with thee. If thou art descended from Zapirou, I reckon among my ancestry the famous Mistigris, the cat of Alexander the Great. I can show my genealogy traced on coloured parchment. My arms are two pettoes saltier on a field of gules, on a poppy-coloured ground. My exploits have not been performed in obscure kitchens, but in the face of the sun and in the open fields. I have not fought with squires and pages, but with the best lances among the Moorish oats. At Granada I killed the famous Stealall, a large Abencerragian cat ; at Cordova I killed the brave Mureif in a duel ; with one blow I broke Glontonnet's jaw, and with one back stroke I cut off one of Friponneau's ears, because they had both dared to flirt with a certain Miza whom I was courting. I do not mention a thousand other exploits ; how I cut off the tail of the great Drippingpan, so feared among cats, and put out the eye of the young and handsome Garride, the sole hope of a noble family. But of what use is it to recal my exploits ? Whilst I am talking, time flies. Besides, thy Zapaquilda, that ingrate who betrayed me for thy sake, will soon see who I am. The roof on which we stand will be the theatre of a bloody tragedy. In one word, thou shalt die. And when I have run thee through with my sword, I will cut off thy head and bear it as a trophy to Micilda,—to Micilda, who shines among cats as Venus among the stars—to Micilda, my love, my blessing, my delight, for whom I have forgotten an ingrate who did not deserve the heart of a cat like me !"

So saying, he drew his sword from its scabbard, and both commenced the combat by addressing the most insulting epithets to one another. The terrified Zapaquilda then took flight, leaving on the field of battle the hood with which she had covered her head to avoid the dangerous effects of the cold air. As to the musicians, as soon .

as they saw the flash of swords they took to their legs, according to their noble custom. They said, in their own defence, that they must place their instruments in safety, and that if they came to a serenade with the idea that at any moment they might be forced to have their throats cut, their voices would be sensibly affected by it. This was their reply to ill-natured persons who suspected their courage.

But Gourougouz, a cat of the holy brotherhood, who was making his rounds at that hour, happened to pass with his alguazils. At the sound of weapons he approached, and seeing our Cæsars fighting, ordered his attendants to separate them, which they did, but not without some trouble. He then asked for their swords, which they both gave up, for it is the custom of high-born people to respect the law. Then, having in vain solicited them to shake hands, and finding them much irritated against each other, he decided on taking them both to prison.

At that moment the sun was rising in the east, illuminating the variegated flowers which are the pride and ornaments of the verdant fields.

CANTO IV.

One sometimes meets with people who maintain that love is not so powerful but that it can be governed by the will. Such people are nothing but presumptuous ignoramuses. Love, by its mysterious power, reigns here on everything of which the visible world consists; it penetrates, vivifies, and animates everything which possesses one of the three souls of which the philosopher speaks. Is it not wonderful to see two African palm trees when the sun has gilded their fruit, love each other, attracted by a sympathy of which they are unconscious, and form, so to speak, the desire for a calm union. If it is so with vegetables, still more so with animals. All, without exception, love: the quadruped in his forest, the bird in the air, and the fish in his moist element. But, begging the quadrupeds, birds, and fishes' pardon, no species among them can, for love, be compared to cats. Cats are a true emblem of love. You think I jest. Well, then, on some fine winter night, go out upon the frozen roofs, on which the cold wind blows, and you will there see a concourse of assiduous tom-cats, who have come to pay their respects to some pretty pussy, who sits among them like a queen in the midst of her court, and replies disdainfully to the tender mewings of her adorers; in which she reminds me of the beautiful Angelica, insensible to the vows of Ferragus and Roland, who, to prove their passion, travelled about, running through Spaniards and Frenchmen, too happy if they obtained a look from the ungrateful fair one.

But what can be compared to the patience of a tom-cat in love, who, concealed in a gutter, there bravely awaits the coming of the dawn, calling on his beloved with plaintive accents, regardless of the snow which falls on him like silver moths; his devotion is the more admirable, as he mostly has neither cloak, gloves, nor hat to defend him from the inclemency of the season.

You no doubt remember that our two cats, Marramaquiz and Mizifouf, had been led to prison for not choosing to be reconciled, when their duel was interrupted by the holy brotherhood, to which they had spoken with some haughtiness. Zapaquilda and Micilda went to see the prisoners, and they set out, their faces concealed by a crape mantilla, according to custom. Our cats met in the prison. Each one fancied that the other came there to see her lover (so frequently does jealousy deceive us!), and with this idea they commenced observations by darting at each other, beneath their veils, looks of fire similar to those flashes which traverse thick clouds before a storm. Oh! to have seen them rise on their toes and stretch forward their heads as if to assure themselves of the legitimacy of their suspicions, whilst each endeavoured to conceal herself from the eyes of her rival: wishing to declare themselves and yet not daring to do so! For as jealousy is not a noble feeling, those who suffer it take pains to dissemble; for, in proportion as true love is a noble feeling, so does jealousy announce a weak mind, although, in my opinion, true love is never exempt from jealousy. This is what mythology has perfectly understood, when it shows us Aurora jealous of Procris, and causing the eternal grief of Cephalus.

At last, after long suffering and hesitation, they advanced towards each other, stood still with emotion, then advanced, approached, and at the moment that Micilda raised Zapaquilda's veil, the latter scratched her rival's face. Never did Fatima and Xarifa commit such excesses when quarrelling for the heart of the Abencerrage Abindarraez.* Their fury soon increased: they fell upon, ill-treated, tore, and almost flayed each other, as, at the commencement of winter, we see the rough *autan*, with its pitiless breath, despoil the vine of its last leaves. In short, after many gashes and blows dealt with their hooked claws, they fainted away, pretending to be dead, bleeding, and with disordered head dresses.

This adventure was not calculated to abridge the period of our two heroes' imprisonment; but as in time all things alter, and even evil is converted into good, they were restored to liberty. Gourougouz came one morning to announce that they might return to their respective lodgings.

Jealousy dwelt in the hearts of Marramaquiz and Mizifouf—Marramaquiz especially was tormented by it. In vain did his friends counsel him to forget an ungrateful one, and be happy in the love of Micilda; he could not banish the thought. In vain was Micilda lovely and graceful; he thought only of Zapaquilda, whose image love had imprinted on his soul; in vain he endeavoured to conceal his preoccupation, his grief betrayed him, and his thinness still more so. Behold him, his head hung on one side, his ribs almost bare, his cheeks sunk—it is thus death is represented.

Whilst Marramaquiz was thus visibly falling away, Mizifouf, thinking himself for ever free from that rival, begged one of his friends, named Slyboots, who had been a cat in an inn, to demand

* The loves of Abindarraez have been celebrated in the Moorish romances.

Zapaquilda of her father Grimaon, and Slyboots acquitted himself adroitly of the commission, not without lauding to the skies the good qualities, talent, and merits of his friend. Grimaon was a cat of good understanding and good manners, with a black coat and a white beard. In his youth he had been attached to a poor hidalgo, whom I need not name,* to whom he acted as harrier, and never, it is said, did a rabbit on the banks of the Maucanares escape him. At night, at the same time, he took the place of light for his master, and so thoroughly,* that one night, when he had curled himself up as usual on the hearth, a servant came in, and seeing his eyes sparkling among the cinders, took them for small live coals, and, without evil intention, put a light to them, with which she nearly put out one of his eyes. This was the greatest adventure of his life. As he was charming to everybody, everybody loved him; he therefore listened with friendliness to the overtures which were made him, and even evinced that he should be flattered to have such a son-in-law: and the better to prove his satisfaction, he offered to give his daughter, as a dowry, a wicker basket which served him as a bed, six pocket-handkerchiefs for sheets, several fragments of old counterpanes for carpets, two salted pigs' feet, and four almost entire cheeses; a captive she-monkey that belonged to him, and spoke and even understood the language of the cultists,* and a thousand other things which have a certain value. Slyboots was enchanted; the settlements were signed and the wedding day fixed.

Meanwhile, what was Marramaquiz doing? Ignorant of what was concocting against his happiness and glory, and in a bitterly sweet frame of mind, he was playing at ball with a mouse which he had taken at the moment she was trotting from an escritoire, which contained the productions of a poet, to a trunk which held some cat-ables. It is thus that misfortunes always occur when least expected, for we can reckon upon nothing in this world. Sometimes Marramaquiz pretended to go away, and after giving the little beast fresh hopes, he pounced on her and stopped her; sometimes he threw her into the air and seized on her in the middle of her journey like a bird shot flying; sometimes, with a friendly hand, he gave her gentle blows on her nose and ears. Whilst he amused himself thus, Whisker, his squire, appeared, out of breath, dismayed, bringing him the news of the intended marriage of Mizifouf and Zapaquilda. At this news—on hearing that he was about to lose for ever his beloved, Marramaquiz stood confounded, and let fall the mouse, which ran off with all speed, blessing its good fortune. But mortification, fury, and rage succeeded the first astonishment, and flying upon Whisker, he gave him with his left hand a blow which disfigured the poor squire—the usual reward of whoever brings bad news. Oh, love! to what excesses wilt thou not lead a noble cavalier. And, after such examples, what tolerably reasonable page or squire can trust to the favour of the great? If they are happy in

* The cultists were a class of affected and conceited writers, against whom Lope always waged war.

their loves, they caress you, lavish friendly epithets upon you, and load you with presents ; but if their loves do not run smoothly, nothing remains for you but abuse, rebuffs, and blows.

After letting the mouse escape and dismissing the beaten squire, Marramaquiz, mad with love and jealousy, concealed himself in the most retired corner of the house, and resolving to die, threw himself with desperation on his bed ; then changing his mind, in a transport of fury he climbed in an instant to the highest point of the roof, then almost directly he descended into the kitchen, where, regardless of Marina, the servant of the licentiate, he made a fearful noise. He was naked, and reminded one of the paladin Roland, who commenced vagabondizing in a state of complete nudity as soon as he had read the insolent provocations of the Moor, written on the bark of trees. He broke the pots and jugs, threw down the iron kettle, and seizing a piece of bacon which weighed at least half a pound, he swallowed it whole. A partridge hung up by the beak met his eye, he sprung on it and plucked it ; however high anything was placed he reached it and threw it down. The kitchen resounded with the fall of saucepans, recently-scoured gridirons, and stewpans ; nothing escaped his fury. At last, unconscious of what he was about, he sprung from the top of a shelf into an iron pot full of water, which had just been taken off the fire, and in one bound sprang out of it, as Roland did out of the river in which he had plunged the haughty Rodomontus.

At this noise the licentiate hastened to the spot, and seeing him, fancied it was the doing of some neighbour who, being troubled with mice, had prepared some treacherous mess to poison them, which had by mistake killed his cat instead of the rats. And truly the licentiate was not far wrong, for jealousy is a deadly poison, which in one second freezes up the veins and heart, and attacks the source of life ; and I should prefer a strong dose of arsenic or hemlock to a scruple of jealousy. In short, grieved to see a cat that had grown up in his house in this state, he sent to his friend the apothecary for two ounces of *thebiaque*, the best antidote I know of, and gave it to Marramaquiz : he, with praiseworthy courage, took the drink his master offered him, and having swallowed it he fell into a profound sleep.

CANTO V.

Noble Spanish soldiers, who, at this time sailing either in the Indian ocean, or in the cold northern seas, asking of every passing cloud news of your beautiful Spain, where you have left your loved one, perhaps you are astonished that a licentiate, a man of grave studies, should devote his time to singing about cats ; and in truth I also might have struck up the *arma virumque cano*, and sang to my lyre of one of those valiant warriors, the glory of Spain. But what would you have ? I was asked for a poem of less pretensions, and I determined on celebrating the wars of amorous cats !

Everything was ready for the wedding ; the relations, friends, and

neighbours were invited, and the absent had been written to. At last the day arrived which was to crown the hopes of the two lovers. But how often has a vase full of some delicious liquid received a fatal blow at the very moment that an eager mouth was opening to imbibe it.

Furious, and alone, Marramaquiz bewailed his fate on the summit of the roofs on which he had taken up his abode. Like Philomela, who in the groves weeps for him she has lost in sad and harmonious melodies, which soften tender hearts, he laments and sings at the same time. But I am wrong, the bird sings, the cat only mews.

By Grimaon's order a vast granary had been prepared for the party. It was magnificent—around the room were arranged the portraits of all those who had formerly distinguished themselves among this warlike race, which is what I very much approve of—there is nothing like the portraits of great men for inspiring great actions. On one side of the room was placed, for the happy pair, a handsome raised floor, with a very elegant little balustrade, pretty little cushions, and in front two magnificent arm chairs. A cultist would have been in ecstasies at these preparations, which would have inspired him with some incomprehensible verses.

Longer shadows already began to fall from the high mountains and spread over the valleys; already in the cities silence and quiet were succeeding to noise and bustle: it was the hour when gallants prepare their weapons to seek adventures—it was the hour when the watch sets forth to keep the peace among the gallants. At that hour the room commenced filling with joyous guests. First entered Malingrin, whose elegance and *bonnes fortunes* were everywhere renowned; his mistress for the time being was named Laura, whom he loved with greater passion than Petrarch loved his fair; after him came Grumbler, dressed all in black, probably to indicate the usual state of his mind; Destroyer, who possessed an uncommon appetite and stomach; Fly-catcher, who had come from Andalusia stage by stage through the Sierra Morena, to see the flowery banks of the Tagus, under the care of his father, the respectable Guifguif; Cheeser and Tear-in-pieces, two very fashionable young men; Instep and Heel, the cats of a shoemaker, and a thousand others.

How can one thus neglect the principals for the accessories? How could I speak of the cavaliers and not mention the ladies, who on this memorable day rivalled each other in dress and grace? I shall begin by the beautiful Laura, of whom I have already spoken, and who had put on her most becoming toilette to please Malingrin; you would also have remarked Minette and Columbine, town cats, who came under the chaperonage of Puss the discreet, their mother; Dainty-lip, a young widow, pretty and bold, who had too much reputation to have much virtue; Griselda, equally admired for her wit and beauty; and Velvet-paw, the most charming cat in all Castile.

Having taken their places, the ball commenced. Fly-catcher and the amiable Columbine opened it by dancing a *gaillarde*; after them

Tear-in-pieces and Dainty-lip advanced, provided with noisy-castanets, and danced a *chaconne*—it was even declared that Dainty-lip gently shook her apron with her hands in dancing, which, they say, somewhat shocked the cats of a certain age. At this moment Zapaquilda entered, led by her mother, Dame Golosilla. Here, Muses, I again invoke ye! Inspire your disciple—put eloquence and poetry in my pen, and lend me the talent of great painters. Oh, how beautiful was Zapaquilda that day! how elegant and *distinguée* her dress! On her head shone a wreath of spring roses; to her ears were fastened white-satin ribbons; a pearl necklace adorned her throat; she wore a gown of brocade, marvellously embroidered; finally, her feet were cased in pattens with gold fringes. But her dress was outshone by her personal charms. What touching modesty! and at times how her eyes beamed, revealing, in spite of herself, the hopes which possessed her! . . . When she came into the room every one rose, and the oldest cats admired her, like Helen in the Trojan senate. Grumbler alone, who loved to criticize everything, remarked to his neighbour the costliness of Zapaquilda's dress, saying that it was not to be wondered at that so many men refused to marry when they could not find a dowry which enabled them to bear such expenses.

After bowing to the principal persons present, Zapaquilda set down, and the dancing recommenced. But this amusement was soon to be tragically interrupted.

In the midst of the *fête*, Marramaquiz, impelled by his frantic love, suddenly entered the room. The dances instantly ceased. All looked at each other with astonishment, at seeing a cat come to a wedding with his sword drawn. As for Zapaquilda, her emotion at this sight was overpowering. She communicated her fears to her friends. She rightly thought that Mizifouf was the only one who had strength to turn Marramaquiz out, and, unfortunately, Mizifouf was not yet arrived.

Amidst the general astonishment Marramaquiz glanced withering looks at the assembly, increased the terror of all minds, and uttered these terrible menaces:—

“Vile assembly of braggarts, more perfidious and treacherous than Dutchmen and Moors! squadrons of chicken hearts! *junta* of miserable insects! vile inhabitants of kitchens, who, far from the wars, ignobly pass your lives amidst pots and pans! you who are made only to bear kicks from servant maids, and to lick up the gravy left in the plates: you who pass your winters under cinders in the corner of the hearth!—I am Marramaquiz,—Marramaquiz, who has the courage of the lion and the claws of the tiger,—Marramaquiz, the terror of the world, and through whom these infamous nuptials will become the nuptials of another Hippodamia to your eternal shame!”

O, Muses! this cat had certainly read Ovid. He thus announced that he intended to take Hercules as a model; and, in fact, a number of centaur cats perished that day by his hand. How

shall I paint the furious excesses into which his insensate jealousy betrayed him? Tamerlane in China, the famous Roman, Scipio, in Carthage and Numantia, never made greater havoc. He went striking right and left, wounding and killing. Fly-catcher looked at him, and was knocked down with one blow. Grumbler murmured, and he fell down lifeless. A blow fell on Clawall, a great duck and rabbit hunter, and he fell with his head against a stone and mewed his last. Several cats of rare courage endeavoured to defend the raised floor; in one moment they were dispersed, and the boards covered with the wrecks of their dress: everywhere were strewed gloves, shoes, collars, cuffs, ribbons, necklaces, earrings, &c. Malingfin, full of courage and gallantry, endeavoured to protect and lead away the bride; Marramaquiz seized him as Hercules seized Lycas, and threw him through a loop-hole into the street. No, Achilles did not kill more warriors when, on learning the death of Patroclus, he rushed like a hedgehog in the midst of the Trojan army; Nero did not hear with greater pleasure the cries of terror and despair in burning Rome! At last, seeing Zapaquilda, who, flying, already thought herself safe, he rushed towards and stopped her. "Where goest thou, deceiver?"

"Alas," answered she, "I fly from thy fearful sword, which thirsts for my death, as it does for the death of my husband. But, cruel Polyphemus, if he dies I follow him!"

"What! beauteous ingrate, is it thus thou speakest to me? It is I, foolish and audacious cat, it is I alone who am your husband. As to the insolent creature you lament, if he dares present himself before me, thou shalt see how I will kill and skin him, and give his hide to my friends to make them muffs for the winter."

"Well then, know, pitiless tyrant," said she, "if thou deprivest me of a beloved husband, I shall kill myself with my own hands."

"Thy husband!" he exclaimed; "thou shalt not see him more! Thou art mine, thou art my conquest!"

So saying, he seized and carried her off, as Paris carried off Helen, and Pluto Proserpine. Zapaquilda called out, "Mizifouf! Mizifouf!" . . . Nothing stopped Marramaquiz; neither the tears of the lady nor the kicks she gave him while struggling; he did not even notice that she dropped one of her shoes in the struggle. He reached his house without meeting any obstacle, took her to the top of it, and shut her up in a tower, which he alone knew of, like Galvan de Moriane.

Such are the pleasures of the world! Thus has ended many a day which commenced under the most fortunate auspices!

CANTO VI.

When the haughty pagan, Rodomontus, learnt that Mandricardus had carried away the beautiful Doralice, on the 16th day of August, as Ariosto tells us (for Ariosto is the most exact of poets), we are told that Rodomontus broke forth in strange discourses,

which would have softened hearts of bronze or marble. He arrogantly vowed never to go and see either bull fights or fencing matches, even were Sacripant and Roger to order him to do so; never to eat sitting; never to gallop without a bell to his horse's breast; never to pay or listen to one of his creditors, however great their civility; never to lend without security and large interest; finally, never to paint Queen Cleopatra without her asp. And, although Homer does not mention it, I am sure that the fierce Atrides, Menelaus, said no less after the abduction of his wife, the perfidious Helen, cursing the shepherd Paris, who, on Mount Ida, had given the apple to the queen of Acidalia.

But you will ask the meaning of this preamble. It means that Mizifouf, on learning the abduction of his wife, the Helen and Doralice of cats, flew into an inconceivable fury, and throwing off his cap, swore to the ravisher a bloody vengeance.

And as Mizifouf's friends reproached him for not having arrived at the wedding in time, he excused himself by saying that he lived at a great distance from his shoemaker, who had not kept his word, and at last brought a pair of shoes a great deal too narrow. Shoemakers are the causes of great sufferings! Besides, I own I should have been curious to see a cat in pumps. It must have been charming. It would doubtless have cured the fits of melancholy to which I am subject.

But let us leave these puerile details, and put no childishness in the account of a fatal adventure, which required a Marini or a Tasso, those two suns of the modern Helicon, instead of an ignorant Spanish poet. I shall only say that the unfortunate Mizifouf, incessantly thinking of his honour and his puss, wept, lamented, cried out for vengeance, and meanwhile, in his rage, he tore what the cultists called the clothing of the hand, that is, his gloves.

Whilst the friends and relations of Mizifouf were consulting on the means of punishing so cruel and daring an outrage, Marramaquiz was endeavouring, in a thousand ways, to soften the obdurate heart of Zapaquilda. She did nothing but weep, and her tears increased her charms, as they say of Aurora. Can you imagine anything more touching than a young beauty, who, silent, and her head hung down, lets her tears trickle down like pearls on her rosy cheeks? Zapaquilda's grief disturbed Marramaquiz, and day and night he sought something which might please and touch her. He knew not what to invent. He used coaxing, caressing, even the nonsense which nurses talk to children when suckling or endeavouring to quiet them: My love, my angel, my little king, my blessing, my Gonzales—but the latter only when the child's name is Gonzales; it would be absurd if he were called Lope or Fernando, for the first way of being understood by a child is to call it by its name! This was not all—as soon as the sun began to gild the horizon with its rays, poor Marramaquiz, inspired by his love, bravely set out, fearless of the cross-bow, for the adjacent forest, sought the rabbit in the depths of the earth,*

where it concealed itself, seized it and brought it to the ungrateful fair one. There was no piece of beef or game in the kitchen, which, if Marina turned her head, did not instantly disappear, to be carried on the roof, without the thief being heard, he was so light and active! He even went so far as to take things out of the saucepans, a wing off a fowl on the spit, and when he scalded or scratched himself, he only said, *fouffou! fouffou!* like cats in general. Oh, power of love! he even ventured several times to take fish out of the frying pan without a spoon!

"Is it possible," said he in a plaintive voice (for he had read the Eclogues of Theocritus and Virgil)—"is it possible, cruel Galatea, that thou art insensible to my prayers, and that the fire which consumes me has no power to melt thee? Ah! thou requirest my death—thou wishest to sacrifice me to Mizifouf, thy Adonis. But know this, thou shalt never see the insolent villain, never shall he press thee to his bosom! . . . And why shouldst thou regret him? Since thou hast been my captive he has not made a single attempt to see thee! . . . As for me, Micilda loved me, Micilda sought me, and for thy sake I returned her love with scorn, although she was a cat of rare modesty, living retired, and who would not have prepared a clandestine marriage through the medium of a complacent friend, with love letters and nocturnal rendezvous. Such is she whom I left for thee, whilst thou hast abandoned me for a coward, who does not deserve the love of the lowest of cats."

"Marramaquiz," answered she, "these words are useless; I have given my heart to him who appeared most worthy of it; I shall be faithful to him to the grave. Thy deceitful protestations will not persuade me, and I do not fear thy menaces."

"What obstinacy," replied Marramaquiz. "Couldst thou not spare me these insults? Well, then, I will conquer thy severity by devotion and submission; and when thou seest that I, who am so proud, lay my pride at thy feet, thou wilt understand the greatness of my love."

Such were the habitual conversations between Marramaquiz and Zapaquilda; and if her constancy and virtue are worthy of admiration, the reserve, dignity, and generosity of the unfortunate lover are no less so.

Meanwhile Mizifouf assembled his friends and relations in Grimaon's house, complaining of the conduct of the common enemy. He spoke of Marramaquiz in the same way that the Christian Powers speak of the Turks; and to excite them against the villain, he exaggerated the account of the cruel manner in which his wife, his Helen, had been treated. All being secretly assembled in his father-in-law's granary, and being seated, Mizifouf, in a broken voice, thus addressed the noble junta:—

"Friends and relatives, I shall not employ vain eloquence to point out to you the misfortune which you have witnessed, and of which, according to custom, I was the last to be informed. Do I need words to rouse you? Do noble hearts require long speeches? The paleness of my face and my sighs will tell more than I can,

and a silent grief is not less eloquent than Demosthenes, especially when speaking before an assembly which, for wisdom, can only be compared to the Roman senate. My wife has been carried off, and I demand vengeance!"

The assembly was moved, and most of the cats gave Mizifouf unequivocal proofs of real sympathy.

After this first movement, a cat named Big-belly spoke. He was a cat of consummate prudence and venerable aspect. We must add, that his baldness was not caused by the disease called scald head, but by a blow given him by a servant one day, when, profiting by her looking off one moment from some tripe she was cleaning, he seized hold of one end and carried it up on the roof, so that the other end remained in the kitchen, thus forming a long cord, by means of which one might have found one's way about the house, like the thread of the Cretan labyrinth.

Big-belly rose and said, with a grave and majestic air, "It is with reason, my friends, that you testify such sympathy to Mizifouf, and you owe help and protection to a stranger who has left his native land to live amongst us as a brother; and even if not for his sake, you ought to prove to the world, by some striking example, that beauty is not to be outraged with impunity."

To which Kiddy, speaking like a young cat as he was, answered, "If this concerned me personally," said he, boastingly, "Marramaquiz would already have suffered the punishment he deserves, for I would have torn out his eyes with my claws."

But Fighter looked fixedly at him, and said, "It would be better to send a challenge, according to the manners of Castile, to the most valiant cat who ever ran in the gutters."

"That is not my opinion," said Sharp. "Is it not folly to expose one's life against an individual who has behaved improperly? and is it not established that there should be no challenge in cases of treachery? My advice is, that the injured one should take a cross-bow—that, armed thus, he should at night await the offender at the corner of a roof, and there kill him, without compromising himself."

"Yes," instantly replied Scratcher, who was a very distinguished cat. "Yes, this revenge would be excellent, if certain. But there is no reckoning on it with so careful a cat as Marramaquiz. In my opinion it would be better to bring the ravisher to justice, and proceed legally against him; doubtless death would be the reward of his crimes."

"That would be called cowardice," instantly replied Biter. "Besides, what is the use of a law-suit in cases like this. Is there not always a deal of idle gossiping which a man must avoid? And who does not know the interminable length of law suits? We lose patience and life before judgment is passed. I therefore think the best justice is the one we get for ourselves by sword and pistol."

"Biter has spoken well," immediately said Foxy, after making the customary salutation to the assembly. "It would be folly in us to have recourse to law, and we should be mad, with the popular

feeling so strong against us, to exhibit the spectacle of a cat dragged to the scaffold, and hung like ordinary criminals. On the other hand, has Mizifouf the strength of the Moor Mouza, that you counsel him to fight a duel with so fearful an adversary? I must beg pardon of Fighter and Scratcher if I do not share their opinions. My advice is, that we should make common cause with the party injured, and that, to succeed in an enterprise of such importance, we should raise an army. When we have assembled sufficient infantry and cavalry we will besiege the traitor in his domains; we will cut off from him all assistance, or what is better still, by storming the ramparts which protect him, we shall compel him to surrender, and when we have him, we will punish him as he deserves. Therefore, let the banners be waved, the drum beat to arms, the trumpet be sounded, and a bloody war be proclaimed. It was thus Menelaus recovered his wife in the midst of Troy in flames."

Foxy had hardly done speaking, when the entire assembly rose at once, saying that Mizifouf's cause was theirs, and that all would die to revenge him.

Mizifouf thanked the assembly with visible emotion, and, after embracing Foxy, he departed instantly to busy himself about recruits. And now, oh love! thou mayest give up thy place to Mars. Seest thou not Tisiphone and her sisters brandishing their flaming torches which light up the horizon with sinister brilliancy? And, moreover, art thou not desirous to know the effects of a passion which thou hast inspired?

CANTO VII.

To arms! war! carnage! such were the cries which were echoed in the camp of our Grecian cat against the Trojan cat Marramaquiz; as fire long repressed bursts forth with greater violence in the spot where it was first kindled. Banners violently shaken by impatient hands troubled the repose of the air; but in their continual motion it was impossible to distinguish either their colours, or arms. The noisy drum and sonorous trumpet answered each other, and this music roused and increased in all minds the desire to fight.

Already moved the soldiers clad in brilliant armour, and better still, in invincible courage. See those warlike faces under the helmets shaded with floating plumes. See in what order those soldiers advance, sword by side and lance or musket on shoulder, so that the second line place their feet in the impressions which the first line has left, and so on to the end. The infantry brought with it some pieces of artillery to make a breach in the walls. These cannons were formed of the shin bone of an ox, and had been brought into the camp, not by innkeeper's cats, that would have been suspicious, but by pastrycook's cats. The cannons were rolled in little wheel-barrows, and the artillerymen destined to attend them walked a few steps behind, match in hand.

Arrived under the walls of the place, Mizifouf surveyed the camp. His breastplate was the shell of a tortoise, which, notwithstanding the proverb, had been found by death without leaving his

house. He wore a beaver hat with a turned up brim, shaded by two feathers, one black and one green, typical of mourning and hope. With his right hand he held his terrible sword; with his left he carefully governed a superb courser, which needed neither bit nor spur, and which, full of blood and mettle, seemed rather to fly than gallop. There is nothing new in a horse's flying;—is not the horse Pegasus represented with wings? and is not the hippogriff of Ariosto half a horse?

Marramaquiz, acquainted with what was plotting against him, had assembled all the cats of his acquaintance. Unfortunately he did not hear of it till too late, and when reviewing his troops, he found himself powerless against so many enemies. He walked up and down the room in every direction, more sad and anxious than a poet who has seen his own comedy damned, or his rival's succeed; whilst Zapaquilda, to whom Fame has brought word that her husband was coming to deliver her, showed more joy than a poet who has heard his best friend's piece hissed. Nevertheless the hero did not neglect his means of defence; he appeared on the wall preparing everything for the siege, instructing some, encouraging others, and by his orders the ramparts were covered with valiant soldiers, who moved amidst floating banners. Have you sometimes seen at the beginning of autumn, when the labourers are cleaning their tubs and wine presses, the steeple of a village surrounded with vineyards become covered with thousands of thrushes, which are at that season fatter than ever, and are preparing to descend upon the country? Such was the effect produced by the cats upon the tower.

At last the signal for the assault was given. The besiegers lowered their visors, and advanced in order to the foot of the tower to the sound of the trumpet and drum, which increased the ardour of these valiant heroes. The fiery coursers which conduct the sun's car had passed mid-day. Mizifouf alighted from his horse, and standing beneath a tree—it matters little what tree—he addressed these words to his courageous followers, who listened attentively:—

“Generous friends, witnesses of my injury and grief, it is useless for me to endeavour to excite in your minds the feelings of honour which animates mine, and which alone has prompted me to so daring an enterprise. Like me you all know what honour is, and what it requires. He lied who said—for who would dare write it?—that a glorious retreat makes amends for a whole life-time: I maintain, on the contrary, that a life-time is glorified by a noble death. It is the privilege of noble minds to sigh after grand exploits; their reward is glory, and you will some day obtain that reward. Could your enemies frighten high-born cats like you? Are they not as cowardly as they are treacherous? Are they not half defeated by the knowledge only of my being your commander? Therefore fight valiantly, I shall set you the example; and do not be uneasy because you have no ladders to scale the walls. You do not need them, you can climb like cats.”

So saying, and brandishing the lance which he held in his muscular hand, he marched straight to the wall, and transfixed six of his enemies, Marander, Short-ears, Blacky, Crooked-leg, Mew-mew, and Hypocrite, who insolently provoked him, thinking themselves sheltered behind a rampart. At the same time his soldiers, full of courage and inflamed by his eloquence and example, imitated him; and it was beautiful to see them scale the tower by means of their claws, which were more tenacious than the hooks of a cloth shearer.* They all climbed up, unmoved by the fate awaiting them. One was hardly down before a thousand others took his place; as soon as one reached the top of the wall, the stroke of a sword made him lifeless. Another at the foot of the tower was crushed by a stone, which thus became his tombstone. Projectiles of all kinds fell fast, like hail in a storm; there died the intrepid Galvan and the talented Foxy, both worthy of a better fate, if death on the field of battle were not the most glorious death for warriors.

Jupiter, from his starry throne, contemplated this bloody combat; and fearing lest after so fierce a struggle this round machine would be unpeopled of cats, he considered what remedy to provide against such a misfortune. "By Jupiter!" said he, "it is not fit that such a war should be prolonged, it is quite enough that the abduction of Helen caused the ruin of Troy. I must prevent the cats from destroying one another; otherwise the rats would increase without end, eat up the terrestrial globe, and inflated by success, would then attempt, like new Titans, to scale Olympus." Having said this, he assembled thick clouds, and caused the day to be succeeded by thick and sudden darkness. The cats, unable to recognise each other, ceased fighting.

The next day and the following ones the struggle recommenced with equal constancy on both sides; the besiegers always vigorous in attacking, the besieged immovable in defending. But as the siege became protracted, victuals became scarce. It went so far that Zapaquilda no longer had sufficient nourishment; her charms disappeared, and the roses which bloomed in her cheeks were replaced by a death-like paleness.

Marranaquiz seeing her fall away, and inspired by love, went out unobserved in quest of a few sparrows, through a loop-hole which opened on to the roofs. He was accompanied by Wide-awake only, a page in whom he had entire confidence, and whom he required to carry the produce of his sport. But, oh sad fate! whilst from the edge of a roof he watched a singing thrush, death was watching him. No one can escape his destiny. But alas! that heroes, who have a thousand times faced death on the field of battle, should perish victims of some vulgar accident. . . . A prince who was shooting birds called martinets (would to heaven those birds had never existed!) having fired a shot from a cross-bow at some distance, our cat instantly fell; and thus died the wisest and most valiant cat that

* Jupiter's intervention is imitated from the '*Batrachomyomachia*,' in which the episode was parodied from the '*Iliad*.'

ever existed. Thus was he for ever lost to war and councils. He remained stretched on the roofs without sepulture; preserving after death that air of ferocity which in life had terrified his enemies, and showing a sort of pride that he had died, as he deserved, struck by a royal hand.

Wide-awake, pale and trembling, brought the fatal news to the town. On hearing it, the besieged mewed sadly, and you would have seen them tearing out their beard and hair as the German soldiers do when they have lost one of their chiefs. But however, driven by famine, they surrendered to Mizifouf, a victor without a victory, who liberally distributed among them fish and cheese. As for Zapaquilda, after embracing her old father, who was bathed in tears, she threw herself into the arms of her husband. And to celebrate anew the interrupted marriage, they sent for a company of actors, who on an improvised theatre represented this adventure, of which the fortunate catastrophe delighted all the spectators.

Ἀναγκη.

ART. VI.—1. *The Age of Great Cities.* By Dr Vaughan. 1843.

2. *Speech of Mr Charles Buller on Colonization.*

DR Vaughan's book is a careful and conscientious work, on the right side of an important question; and it has appeared at a conjuncture which adds to the interest the subject is at all times calculated to excite. Therefore, although the matter of the book is occasionally crude, and the style frequently feeble and diffuse, we have no hesitation in recommending it strongly to the perusal of our readers. Conceiving that the obvious and irresistible tendency of the most active agencies which are now modifying our social system, is to concentrate the population more and more into large masses, the purpose of the author is to inquire whether this tendency does not contain within itself seeds of good more than sufficient to counterbalance its palpable and apparent evils; and he answers this inquiry in the affirmative.

There is a class of thinkers—numerous even in this age of logic and statistics—whose views are the result, not of careful reflection, but of passive impression, and who judge of a doctrine as they would do of a picture—by the effect it produces on their fancy. With these men politics is not a science but a taste. They embrace certain principles because they please the imagination, not because they satisfy the reason; and select

their opinions as a voluptuary chooses his mistress, not for their excellence but for their beauty. Their views on the most momentous questions of social well-being are the sport and the offspring of chance associations; their sympathy is with the romantic bandit in his mountain haunts, who captivates their fancy,—not with the regular police, in their sombre uniforms, who protect the peaceful from his depredations. They see with feelings of unmixed regret, and almost with disgust, the smoking factory which gives food and comfort to a hundred families, rising in the wild and barren valley which formerly could scarce afford subsistence to a solitary peasant. And they prefer the silent suffering which is hidden by the rustic cabin, with its thatched roof and its picturesque dilapidations, to the solid comfort and modest plenty which dwells in the square brick cottage of the artisan, because it forms one of an unsightly row, and has no Ayrshire roses or Virginian creepers clothing its bare walls.

With writers of this class, the deplorable increase of population, and the dangerous extension of manufacturing industry, have long been favourite topics of declamation. But their entire want of either influence or reputation might have dispensed us from the necessity of noticing their arguments, had not the same opinions, though in a more cautious and covert form, been recently advanced by men whose talents and information, which should have saved them from such errors, make these errors more influential and more dangerous.*

* See the following passages in McCulloch's preface to the new edition of his 'Political Economy.'

"When the manufacturing workpeople," says Mr McCulloch, "become so very numerous as in Great Britain, and increase with such extraordinary, not to say frightful, rapidity, as they have done here during the last thirty years, the occurrence of any circumstance that tends to reduce the wages of labour, to raise the prices of provisions, or to throw any considerable number of them out of employment, becomes an evil of the greatest magnitude, and is not only productive of great immediate distress to those directly affected by it, but is very likely seriously to endanger the public tranquillity. Demagogues, and the workshop agitators, so frequently met with in the manufacturing districts, never fail to take advantage of the excitement produced by the occurrence of distress, to instil their poisonous nostrums into the public mind—to vilify the institutions of the country—and to represent the privations of the workpeople, which, in the vast majority of cases, spring from accidental and uncontrollable causes, as the necessary consequences of a defective system of domestic economy, having regard alone to the interests of the higher classes.

"In such a novel and unprecedented state of things, the rules and inferences drawn from the contemplation of society in antiquity, or in more modern times, are wholly inapplicable; and we are left with little or no light from experience to speculate on the probable course and results of this new state of society. The prospect, we fear, is not very flattering, either as regards the tranquillity of the country or the comfort and well-being of the great bulk of the people. There may, however, be principles at work, which have not yet developed themselves, capable of educing good out of seeming evil, and of counteracting those sources

Those who lament the extension of manufacturing occupations, the increase of great towns, and the congregation of the population therein, place themselves in a dilemma of singular perplexity—as soon, at least, as they propose any practical schemes for mitigating the evils they deplore. For the natural tendency of population is to increase, and to increase rapidly. Our increasing numbers must either be checked, or must have employment provided for them, or must be supported in idleness—that is, must subsist upon the industry of others. The third alternative is contemplated by no one: the population, therefore, must either be prevented from increasing, or there must be a corresponding increase of profitable employment—*i. e.* employment which will furnish the means of independent subsistence to those employed.

The increase of population may be prevented in two ways—either by enhancing mortality or diminishing fecundity—either by augmenting the number of deaths or diminishing the number of births. The first method we need not dwell upon; no one seriously desires it, though many unconsciously, and some selfishly, contribute to it; and the exact contrary it is the great object of science and of civilization to accomplish. Moreover, an augmented rate of mortality, unless carried to a degree wholly unprecedented, and frightful even to imagine, would not materially assist the desired end, *viz.*, to check the increase of population; for no statistical fact is better ascertained (few so well) as that an increase in the ratio of deaths is always, and instantly, followed by a corresponding and equivalent increase in the ratio of births. The only gain in the case supposed, therefore, would be an exchange of adults for infants, of the able for the impotent, and a lowering of the average age of the community,—which would be the gain of a loss.

To check population by diminishing the number of births, is, as a practical measure, almost as difficult and hopeless. It is clear that poverty—that is, want of employment, difficulty of obtaining subsistence—does not necessarily, nor (in the existing

of distress and turbulence which are so obviously prolific of mischief. We may be permitted to hope that a system which at its outset was productive of so great an increase of wealth, prosperity, and enjoyment, may not end in national ruin and disgrace.

“Perhaps it may in the end be found that it was unwise to allow the manufacturing system to gain so great an ascendancy as it has done in this country, and that measures should have been early adopted to check and moderate its growth. At present, however, nothing of this sort can be thought of. Whether for good or for evil, we are now too far advanced to think of retreating. We have no resource but to give it full scope, taking care, however, at the same time, to do all that is possible, by judicious legislation, to give stability to industry, and to avert or modify the influence of revulsions.”

moral and intellectual condition of our people) naturally, produce this effect—as the state of Ireland for a century back, and of our own country during the misery of the last three years, undeniably proves. The fear of falling short of the luxuries of life is a great discouragement to marriage; the fear of falling short of the mere necessities of life is no discouragement at all. Destitution does not check marriage in any appreciable degree; and it is beyond question, both in the animal and vegetable kingdom, that insufficiency of nourishing food rather stimulates than impairs the breeding faculty. The vital statistics of this country, for a long period, show that births proceed with remarkable regularity of increase throughout all vicissitudes of distress and prosperity, and in all parts of our islands; and that the idea of the increase of manufactures greatly encouraging them, or the cessation of that increase greatly lessening them, is unwarranted by fact.* Marriage, indeed, may be checked in two ways—either by legislative requirements, as in Austria,† or, as in Switzerland, by such an elevation of the standard of social comfort and respectability, as shall induce the people, of their own accord, to postpone marriage till it becomes a measure of unquestionable prudence. But, unhappily, this prudential restraint presupposes a character to which the great mass of our labouring classes are wholly strangers, and for which even the seeds are not yet sown; and the fetters we have put upon the industry of our people, and our neglect to cultivate their intelligence or develop their resources, would render any legislative restraints upon marriage too grievous an injustice, too barefaced a tyranny, to meet with any countenance in England.

The population of our islands, then, is rapidly increasing, and will continue rapidly to increase; nor can it now be checked by the adoption of any practicable means—of any means which are

* The idea is almost universally prevalent that the greater facility for obtaining employment, and the earlier age at which children can contribute to earn their own livelihood, lead to earlier marriages in the manufacturing than in the rural districts. How entirely this notion is contrary to the fact may be seen from the Reports of the Registrar-General. It appears from these, that in the three years ending June, 1841, the proportion of men who married under 21 years age to the whole number married—i.e. the proportion of early marriages—was in the

| AGRICULTURAL COUNTIES: | | MANUFACTURING COUNTIES: | |
|------------------------|-----------------|-------------------------|----------------|
| Bedford | 11·86 per cent. | West Riding of York | 7·13 per cent. |
| Cambridge | 8·88 " | Stafford | 7·85 " |
| Huntingdon | 8·76 " | Chester | 6·54 " |
| Northampton | 8·43 " | Warwick | 6·10 " |
| Wiltshire | 8·22 " | Lancashire | 5·87 " |

† For the consequence of this, however, see Turnbull's 'Austria,' Note, also, c. iv, of Laing's 'Norway.'

not too revolting to be either suggested or defended. These increasing numbers, which are estimated at 230,000 a year,* must be supported; and, to be supported, must be employed in some industrial occupation which will yield them a subsistence. They may be supported in two ways—they may be employed either in raising food for themselves, or in manufacturing those articles which will purchase food from others. No one, we believe, conceives that any great proportion, if any at all, of these 230,000 annually, can be advantageously employed in raising food upon our own soil,—in other words, can be permanently added to the agricultural population at home. There remains, therefore, this alternative—to employ these persons here in making articles to exchange for food, or to send them abroad to grow food by a more direct process;—to bring the food to them, or to send them to the food. In short, we must organize an emigration to the amount of 230,000 souls yearly; or we must extend our manufacturing industry every year sufficiently to absorb that number; or we must pursue both methods conjointly.

It is fit, therefore, that those who deplore the extension of our manufactures and the increase of our great cities, should remember that their only actual alternative is the expatriation of our whole, or nearly our whole, annual increase. It is between these two results that they are reduced to choose—emigration or manufactures. To repine at the natural progress of events—to whine over the extinction of domestic manufactures, and the loss of the distaff and the spinning-wheel—to lament, because in an age of advanced civilization and multiplied requirements, we cannot have the infantine simplicity of the patriarchal times, and that England, with her sixteen millions of people, cannot present the same aspect as when she supported only eight, is a childish and ridiculous display. And it is a still weaker inconsistency to indulge in reproachful pictures of those happier days—if ever such a golden age existed—when the people lived in plenty and content, and in the unrestricted enjoyment of the simple pleasures of domestic life, and yet to regret that that homely happiness (of which marriage was a principal and necessary element) should have brought forth its natural fruit, in an increasing population requiring employment and support. It is idle to approve the cause and reprobate the consequence—to extol the seed and depreciate the inevitable harvest.

It is clear that the increase of our numbers is an ordinance of Providence: and to our minds—believing, as we do solemnly and firmly, in the capacity for social and moral progress implanted

* See 'General Sanitary Report,' p. 330.

in our nature—it is at least equally clear that Providence did not intend this increase to be a source of suffering and evil, but the exact reverse; and that if social suffering and moral mischief follow in its train, not the tendencies of nature but the elaborate contrivances of human folly are in fault.

The only practical question we have now, as Englishmen, to solve, is—given a certain yearly addition to our population, how can we best dispose of that addition?—what mode of providing for it subsistence (and employment as a means of purchasing subsistence), will most surely contribute to our prosperity as a nation, and our welfare as intellectual and moral beings?

In considering this question, we must distrust the impressions of fancy and association. We must discard from our minds, if not all the susceptibilities of the poetic temperament, at least all its fictions and illusions. We must put far from us, not indeed all the pleasing dreams and images of poetry, but all such poetry as has its source and nutriment in the picturesque alone. For order, regularity, and a certain measure of uniformity, which are essential conditions of a nation's welfare, constitute the greatest enemies of the picturesque, and are utter abominations to a poet's fancy. The straightest road from one point to another is the best for all the practical purposes of locomotion. Yet it is certainly the least attractive to the eye. The line of rectitude is rarely the line of beauty, save to the careful and philosophic mind. The *pursuits* of commerce afford few materials to gratify a superficial fancy, however grand or beneficent their *results* may be. The history of an industrious, thriving, and contented people is proverbially dull. Yet, to an imagination which is fed and deepened, while it is sobered and regulated by the stores of philosophical reflection—which can look through the trivial, prosaic, and often unlovely operations of the vast machine of modern social life, to those varied and mighty consequences of which no eye can grasp the magnitude, and no foresight can prophesy the limit—which can discern the oak in the acorn, and the navy in the oak,—to such a mind there is *that* in the aspect of this busy, toiling, struggling, fabricating country, which awakens thoughts deeper and sublimer than the Eclogue or the Georgic ever furnished—instinct with diviner life—rich in more kindling conceptions—rife with the materials of a nobler poetry. To a common observer, what more hopelessly prosaic than the aspect of a cotton mill? Yet Mr Carlyle, by a few hasty touches, has invested it almost with a halo of romance.

“Manchester, with its cotton fuz, its smoke and dust, its tumult and contentious squalor, is hideous to thee? Think not so;—a precious substance, beautiful as magic dreams, and yet no dream,

but a reality, lies hid in that noisome wrappage. . . . Hast thou heard the awakening of a Manchester, on Monday morning, at half-past five by the clock; the rushing off of its thousand mills, like the boom of an Atlantic tide, ten thousand times ten thousand spool and spindles, all set humming there; it is, perhaps, if thou knew it well, sublime as a Niagara, or more so. *Cotton spinning is the clothing of the naked in its result; the triumph of mind over matter in its means.*—*Chantism*, p. 83.

We agree with Mr Carlyle. We think that a vast and mighty city, raised in a sterile district by the combined exertions of industry and science,—a crowded population labouring in concert, each at his allotted portion of the common task, with continuous and unwearied perseverance,—a body of intelligent, thoughtful, wealthy manufacturers, perpetually straining the utmost resources of ingenuity and art to abridge human labour, and endow inert matter with more than the living energies of Pymalion's marble,—a class of honourable and enterprising merchants transmitting the produce of their country's industry to every nation that has need of it, and acting as the great harmonizers and peace makers of the world,—altogether form a spectacle which wants only two conditions to become at once lovely and sublime; viz., that every labourer should be instructed according to his capacity, and every employer beneficent according to his means.

There can, we think, be little doubt that the outcry against increasing manufactures and the evils of great towns—where it is not a mere dishonest clamour raised for a personal or party purpose—has arisen from resting satisfied with the first hasty glance at the outside of things, yielding to the first displeasing impression produced by the sight of smoking factories, dirty streets, discoloured visages, and crowded cottages; and subsequently preferring the pleasure of declamation to the duty of conscientious and solicitous inquiry. It must be confessed that the appearance of our manufacturing towns presents nothing attractive to an unaccustomed eye, or to a cultivated and fastidious taste. But the case assumes a very different aspect, and the scene produces a very different impression on those who know that the enormous and unsightly pile of building which offends the eye, displays efforts of intellect and skill which do honour to our species, and furnishes an honest, ample, and independent maintenance to a hundred families who must otherwise have subsisted on the bitter bread of charity, or the bitterer wages of iniquity. Those who draw lamentable pictures of the poor children trudging to their work through dirty streets, in the cold darkness of a winter's morning, would form a very different conception did they follow those children into the factory, and witness the sense

of comfort which they manifest on reaching the beautifully-lighted, and often well-ventilated rooms in which their work is carried on, and in which strict cleanliness, and an equable temperature are carefully maintained. On Sundays, or on a summer's evening, when the labour of the day is done, the discoloured countenances, and the working garments, which so offended the observer, disappear, and give place to dresses such as no agricultural population could afford, and to faces marked only by the frequent paleness inseparable from in-door occupations,—and regret for the crowded population will be forgotten when we reflect that it is precisely this congregation of large masses which brings them within the reach of intellectual and moral influences inaccessible to the scattered peasantry of our rural districts. Schools, libraries, lyceums, reading rooms, mechanics' institutions, are to be found in almost all our manufacturing towns; and if education is still far from being as complete and widely diffused as it might be, and as it is desirable it should be, assuredly it is not on the manufacturers, nor on the town population generally, that the especial guilt of this deficiency must lie.*

We are far from wishing to enter into any invidious comparison of our urban and rural populations, or to indulge in any unbecoming recriminations upon those noble landlords and country gentlemen from whom the principal attacks upon the character of the manufacturing districts have proceeded; and while we rebut what is false in their charges, we will endeavour to profit by what is true. We do not mean to deny the existence of grievous and deplorable evils, both physical and moral, among the inhabitants of our great cities: we merely affirm that these evils are not greater than those which prevail in country districts,—that they are counterbalanced, or more than counterbalanced, by manifold advantages,—that they are not essential, but accidental and remediable,—and that the greatest proportion of them must be traced, not to the increase of manufacturing industry, but to attempted limitations of that increase.

The antiquated notion of the superior morality of the rural population is now nearly abandoned. It received "a heavy blow and a great discouragement" from the publication of the first 'Reports of the Poor Law Commissioners' in 1833, and again from the 'Reports of the Factory Commissioners' in 1834, as well as from the 'Constabulary Force Report' of 1839. If any doubt remains upon the mind after reading the above documents, it will be dissipated by comparing the conduct of the mob in the agricultural riots of Kent and Sussex in 1830, with the manufacturing outbreak in Lancashire and Cheshire in 1842; and

* See Mr Baines' Letter to Sir James Graham.

still more, perhaps, by a perusal of the concluding passages in the official Report made to Government last year, regarding the distress in Stockport, which we quoted in a former number of this Review. In fact, this idea, like some others that we have had occasion to refer to, is the mere offspring of poetical association, not of calm inquiry or reflection.* We find it difficult to believe that wickedness can disfigure the sweet scenery of rural life, or that virtue can haunt and hallow the streets of the smoky city.* We are apt, moreover, to condemn what is evil in proportion as it offends, not our moral judgment, but our cultivated taste,—and to forget that vice is not the less vicious, though it may be less disgusting, when perpetrated in green lanes or shady forests, than in the dismal courts and alleys of Glasgow or of Liverpool.

We will not enter into the question of the relative proportion of crime to population in different parts of the county, as deduced from the tables of criminal convictions; for we are of opinion that, of all modes of estimating the morality of a district, that furnished by such tables is the most uncertain and fallacious. For, in the first place (putting aside such crimes as rape and murder, which form an infinitesimally small proportion of the whole), it is well ascertained that the vast majority of offences are committed by professional criminals—men who live by crime; that these offences, therefore, will always be most numerous where the *pabulum* for them is most abundant; and their frequency in any particular locality is, in consequence, no measure of its immorality, but simply of its wealth. There will commonly be the most

-
- * “ Say, when in pity ye have gazed
 On the wreathed smoke afar,
 That o'er some town, like mist upraised,
 Hung, hiding sun and star,—
 Then as ye turned your weary eye
 To the green earth and open sky,
 Were ye not fain to doubt how faith could dwell
 Amid that dreary glare, in this world's citadel ?
 - “ But love's a flower that will not die
 For lack of leafy screen,
 And Christian hope can cheer the eye
 That ne'er saw vernal green.
 - * * * *
 - “ There are in this loud stunning tide
 Of human care and crime,
 With whom the melodies abide
 Of the eternal chime ;—
 Who carry music in their heart
 Through dusky lane and wrangling mart.”

thefts, not where the population as a whole is most given to thieving, but where there is most to steal, and where there are the greatest facilities for stealing; where, consequently, there is the largest and most available fund for the support of those who live by plunder. Secondly, as has been pithily said, the number of crimes detected form no surer criterion of the number committed, than do the fish which are caught, of the fish which are in the sea. The apparent amount of crime will often increase as its real amount diminishes; *i. e.* according to the augmented skill and diligence of the police. Now, generally speaking, the more wealthy and populous the district, the better will be the system of repression and detection, and, consequently, the greater the number of criminal convictions,—coincident, in all likelihood, with a smaller amount of actual offences.

As to the superior intelligence of the town population, we believe there neither is, nor has been, any dispute. The concentration of numbers, the collision of mind, the daily intercourse with a variety of classes, cannot fail to quicken capacity and excite thought. Consequently, although the education of the artisans of our great cities is far from being what it ought to be, their shrewd intelligence is a never-failing subject of surprise and admiration to all who have formed their estimate of the working classes from the slow and heavy peasantry of the south; and if anything further were required, the question would have been definitively set at rest by the extraordinary tragedy of Sir William Courtenay in the Archbishopric of Canterbury, and the Report of Mr Liardet on the intellectual condition of the labourers in that district.† Now, we hold that moral improvement of some kind is inseparable from intellectual culture. Among the poor this is especially true; for with them the time spent in the cultivation of their minds must be withdrawn, not from their daily occupation, but from that scanty leisure, which would otherwise have been passed either in utter idleness, or in less innocent and wholesome recreations. With the poor, therefore, whatever stimulates the intellect rescues them *pro tanto* from the lowness of mere animal life. With them the imbibing of an intellectual taste—the commencement of an intellectual pursuit—is the first step, the parent of all future ones, towards a conception and a fulfilment of the true ends of being,—which are even to them, not merely to pass through life in comfort, but to cherish and develop that germ of higher capa-

* See Dr Taylor's 'Tour in the Manufacturing Districts,' *passim*. It was stated a short time since by Mr Chambers, that out of 60,000 copies of his Journal, 59,000 were circulated in the manufacturing districts.

† See the Central Society of Education: Third Report.

bilities which is latent in the bosom of us all. A peasant, an artisan, cannot add to his knowledge without adding something to his virtue,—he cannot become fonder of reading, without becoming less fond of drinking or of idling;—he cannot become wiser without becoming better, in some manner, and in some degree. It is possible he may not become more honest;—it is possible he may not become more submissive;—it is possible he may not become less violent;—but he has substituted an intellectual for an animal enjoyment; and in proportion as he has done so, he has risen in the order of existence,—he has more of the worth and capacity of an immortal MAN about him.

We hold, therefore, that the alleged inferiority of cities to rural districts in moral and intellectual regards is apparent only, not real; and the same may be affirmed with equal confidence in respect to physical condition. It is hard, we allow, to believe that a family living in a crowded court, in a smoky city, with only dirty windows to look through, and brick walls to look upon, can be in the enjoyment of greater comfort than if they inhabited the poorest hovel in the country, with the clear sky above them, and the green fields before them; at least we cannot divest ourselves of the conviction that, in our own case, we should prefer the most pinching poverty in the latter condition to comparative plenty in the former. Yet nothing can be more certain than that this is not the feeling of the poor themselves. On the generality of them the charms of external nature fall unregarded and unappreciated. With them an ample supply of the necessities of life—complete shelter and abundant food—form the paramount consideration; and an extra meal, or a better bed, outweighs all mere questions of locality. Now, generally speaking, among the very poor, the substantial comforts of life are more readily procurable in a town than in the country; the houses are better, the wages are ampler, employment for children more easily found, the standard of subsistence higher, and charitable assistance and medical care more attainable and more close at hand. The effect of these considerations upon the operative classes has, of late, been remarkably exemplified. Never has the distress in the manufacturing towns been so severe, so penetrating, or so prolonged, as during the last two years. Never has employment been so scarce, subsistence so scanty, destitution and disease so rife. In this misery the emigrants from agricultural districts have encountered their full share. Yet nothing would induce them to return to their native parishes;* they preferred enduring

* "What is the reason that agricultural labourers troop into the manufacturing districts? Simply because the wages in these districts are better and the employment more continuous than in the agricultural districts.

any extremity in the manufacturing towns,—struggling through any privations in the hope of better times,—to claiming relief from the poor-rates, when the acceptance of such relief would have involved their return to those homes from which they had recently migrated, and of which such Arcadian pictures have been drawn. This fact, once ascertained, supersedes the necessity of any further proof of our position. The poor are the best judges of what to them is happiness or misery. And if those who have exchanged the life of a peasant for that of an artisan, not only feel no desire to return to their original condition, but dread that return as the greatest of earthly evils,—it can only be because they have suffered more in the country than they have done in the towns—even in the worst periods of manufacturing depression. And for the confirmation of the fact as we have stated it, we can appeal to any Board of Guardians in the chief centres of our industry.* We happen to know that it was desired by many gentlemen during the last year, to relieve the overburdened cities of Lancashire by removing back to their native parishes such of the unemployed as belonged to rural districts and had migrated thence into the towns. The plan was frustrated, however, because the emigrants, fearing that some such measure might be adopted, preferred starving to applying for relief under such a penalty.

Further. The moral and physical evils suffered by the inhabitants of the manufacturing towns are more alleviated and counterbalanced than those endured by our country population. We have already spoken of the extensive means of education and charitable aid at the command of our urban population, to which the rural peasantry are comparatively strangers;—on this we might, were it necessary, insist at considerable length. But we wish now to draw attention more especially to one advantage peculiar to the modern manufacturing system, and essentially inherent in it,—of such signal importance to the operative classes as of itself to make amends for the mischiefs consequent upon

When the landowners denounce the manufacturing system, let them bear in mind that *there must be something worse behind* to induce the agriculturists to come in crowds to seek work in the manufacturing districts. To my own knowledge, in the town of Stockport there are scores and hundreds of persons who have no claim on the parish there, who are pining to death for want of sufficient nourishment,—and yet they say to the relieving officers that, rather than take relief from the parish, to be returned to their native parishes in the agricultural districts, they would perish under their looms. Oh! you have been grossly bamboozled."—*Mr Cobden's Speech*, March 18, 1813.

* See the 'Official Report on the Distress in Stockport;' and also Dr Taylor's 'Tour.'

their congregation into large masses, even were those mischiefs far greater than we have contended that they are;—we mean the connexion of the workmen with a vast amount of fixed capital, which is dependent for its productiveness upon his labour. This circumstance at once takes the labourer out of the state of serfdom in which his poverty and his superabundant numbers would otherwise retain him, and places him in a free position, by rendering his employer at least as dependent upon him as he is upon his employer. It secures to him, under almost all circumstances, fair wages and regular employment. It stands between him and the misery which would otherwise be inflicted upon him by the caprices of fashion, and the vicissitudes of trade. It places at once a solid and elastic barrier between him and the assaults of want, by ensuring that the brunt of all temporary commercial depression shall fall upon the capitalist, his master. It provides that his employer shall suffer greatly, before he suffers at all; and that his employment will not be taken from him till his employer has lost all remuneration for his capital. Compare the case of the hand-loom weaver with that of the weaver by power in an establishment of ordinary size, say five hundred looms. As long as the demand for the products of their machinery is brisk and ample, both are perhaps nearly in a similar condition. But when the demand is suspended (as in the fluctuations of commerce it often is for a considerable time), the master of the hand-weaver, having no fixed capital at stake, at once withdraws employment from him, shuts up his warehouse, folds his arms, and waits for better times; while the weaver starves, or comes upon the parish books. But with the operative employed in the power-loom establishment, the case is widely different. To shut up the factory would involve a loss to the proprietor (in interest of money, cost of keeping the machinery in order, payment of that portion of his staff which cannot be dismissed, &c.) of about 100*l.* per week, or 5,000*l.* a year. Under these circumstances, therefore, he keeps his factory at work, and his artisans employed, so long as the loss involved in working is not greater than the loss involved in stopping; in other words, the master loses 5,000*l.* a year before his weavers lose their employment. Moreover, if the cessation in demand is temporary, and the trade is expected to revive in a few months, the wages of the operative are scarcely ever reduced in consequence of that depression from which his master suffers so much. It is only when any branch of manufacture is permanently injured, that the wages in that branch are reduced; and the factory operative is never deprived of employment till his employer is ruined, or on the high road to ruin. That manufacturing system, therefore,

which has been so recklessly abused, carries with it in its very nature the greatest possible safeguard to all who depend upon it for support. It is the Magna Charta of their freedom. It is not only the best, but the only security which a redundant population can have against a state of absolute and abject villanage.

But though we entirely deny that the sufferings and sins of our people are greater in the town than in the country, or that they are in any degree necessary accompaniments of the increase of towns; we admit with sorrow that they are severe, grievous, and extensive; that they are bitterly to be deplored, and to be repented of with sadness and self-reproach. We believe that both the physical and the moral portion of them are not essential, but remediable; and that much of both is artificial. We can trace them either to neglected, to clumsy, or to selfish legislation. To treat this subject in detail would require a volume;—for the mere justification of our position, a very few words will suffice. The prominent moral and physical evils of the great manufacturing towns, are briefly, drunkenness and debauchery on the one side,—disease and destitution on the other. The Sanitary Report, lately laid before the public, shows in the clearest light how vast a proportion of the prevalent diseases is directly traceable to the want of a good sanitary police, to filthy habitations, unpaved streets, and noxious effluvia from inadequate or uncovered drains. This portion is, therefore, obviously owing to neglected legislation; and, as obviously, is removable. The rest is traceable, with equal clearness, either to drunken habits, or to insufficient food, which itself is often a consequence of drunkenness. Leaving drunkenness aside for a moment (and that insufficiency of food which is owing to the parents spending in liquor those earnings which would otherwise support the family in comfort), there remain those cases of defective nourishment which really arise from want of employment, or from inadequate earnings. Now all persons acquainted with the districts in question will bear us out in the assertion that those genuine cases are rare in the extreme, except in such periods of commercial revulsion and manufacturing depression as we have lately witnessed;—that, except in such periods, the earnings of the manufacturing population are, when laid out with judgment, fully equal to their comfortable maintenance.* Now we affirm

* We except the case of the distressed hand-loom weavers, because their sufferings are mainly owing to their obstinacy in clinging, in redundant numbers, to a branch of industry which is doomed; and this obstinacy is traceable, first, to their want of cultivated intelligence; and secondly, to that artificial cramping of all branches of industry (consequent on our restrictive laws) which leaves them no opening into other trades, and no escape out of their own.

that these crises of commercial distress and stagnation are, nine times out of ten, artificially produced—and at all times artificially aggravated and prolonged by unnecessary, clumsy, and selfish legislation. They are caused by the markets for our manufactured produce being curtailed or closed, while the labourers who live by the fabrication of that produce continue to multiply. They are caused, not by the increase of manufacturing industry, but by the legislative limitation of that increase.

The social evils, we repeat, existing in great cities are not greater than those prevalent in country districts;—they are in part counterbalanced by advantages which country districts do not enjoy; and the worst of those which do prevail may be traced to the mischievous indolence of our government in neglecting to educate the people, and establish proper sanitary and police regulations—or to its mischievous activity in multiplying laws to fetter our industry and imperil our commerce. We have shown that the increase of towns cannot be prevented, and ought not to be deplored.

This difficulty removed out of our path, the way is clear for the first and most natural method of providing for our increasing population—viz., by the extension of manufacturing industry at home. This will sound strange in the ears of those who have been accustomed to attribute a large portion of our recent sufferings to over-production on the part of the manufacturer—a charge which Sir Robert Peel did not hesitate to bring forward, and which Mr Gladstone has not scrupled to repeat. As this outcry of “over-production” is one of those singular fallacies which, as soon as they are reduced into simple and specific language, vanish into air, it may be worth while to bestow a few words upon it. Those who speak of it as the cause of our recent deplorable distress, forget two things:—First, that the more we increase our production, the more we employ our population;—and that it is the want of employment from which our people are now suffering. Had it not been for this increase of production, which is now charged upon the manufacturers as a folly and a sin,—what would have become of our own actual and increasing population during the last ten years? What would have become of the countless thousands whom manufacturing industry has withdrawn from the rural districts, where they could find neither employment nor subsistence? What would now become of them if this alleged “over-production” were to cease? We declare that, of all the mournful and gloomy possibilities which the future presents to our contemplation, the saddest and most terrible is the picture which England will present, if the increase of manufacturing industry should now receive a permanent and

final check from the operation of those unrighteous and unwise laws against which it has so often been our duty to remonstrate.

Secondly. The objectors forget that "over-production" is a relative term. What do they mean by it? What is over in our production? Do they mean that we have produced more than other nations want, or more than they are able to pay for? They cannot mean this,—for it would be a palpable and glaring falsehood. They cannot mean this,—for Mr Gladstone tells us that they want clothing in America nearly as much as we want food here? Or do they mean—they must, if they mean anything—that we have produced more than our legislators will allow us to exchange with those who do want it, and who can pay for it? Does this charge mean even that our own countrymen are already fully and comfortably clothed? It cannot mean this,—for we know that there are thousands who have little clothing for their persons and none for their beds*—and thousands more whose covering is insufficient to protect them from the inclemency of the seasons, and barely as much as decency requires. It cannot mean this,—for we know that there are hundreds of families who for years have not spent sixpence in clothing—who for years have never purchased a blanket or a cloak. Or does it mean—it must, if it means anything—that we have produced, not more than our people want, but more than—owing to our selfish and grasping legislation—they are able to buy? Does it not mean—it must, if it mean anything—that our aristocracy have so impoverished the labouring classes by injustice and oppression—for which God will reward them in his own good time—that they have no longer the means of purchasing a sufficient supply of the necessaries of life? And they then turn round upon the manufacturers, and reproach them with having produced the necessaries of life in too great abundance!

The fact is simply this: that almost any amount of production may be made excessive by laws which forbid the purchase of the article produced; and that almost any amount may be made insufficient, by the adoption of that perfect liberty of commerce which permits to every nation its full capacities of interchange. "So long (it has been well said) as there is one bare back or one uncovered bed in the world belonging to an individual who wishes for English goods on terms of fair exchange, there cannot be an 'over-production' of cotton or of woollen cloth."†

* See again the Stockport Report, Dr Taylor's Tour, and Dr Alison's pamphlets on the Management of the Poor.

† "What is meant by 'inundating the world,' is only that the goods now

Free trade, therefore, by enriching our own people in the first instance, and putting into the hands of foreign nations increased means of purchase in the second, will afford room for such an extension of our manufactures as will employ the annual additions to our population for some time to come—probably for a prolonged and indefinite period. There is, it is true, another way of disposing of our increasing numbers, already adverted to,—viz., Emigration. But this must, in common justice, be subsequent and supplementary to the increase of manufactures. For few men will voluntarily expatriate themselves as long as they can find a profitable opening for their labour at home; and no government can reasonably require or compel its subjects to do so. Anything like compulsory emigration, till all fetters upon native industry have been taken off, would be a mighty and crying injustice. You may have a right to send to the colonies persons who cannot support themselves at home: you have no right to send persons whom you prevent from supporting themselves at home.

Emigration is a natural and, at times, a beneficial operation. It is a suitable relief for the redundant numbers of a limited territory, and is the means destined by Providence for populating the wide earth with the hardier and more energetic races of men. But it should not be forced, and it should come in its natural order. It is the second, not the first, resource of an increasing population. The means of employment and maintenance at home should have been fathomed and exhausted—and, in a natural and healthy state of things, will have been fathomed and exhausted—before the people are driven to seek for them abroad.* Emigration should be facilitated—never compelled. A government which has not done its duty to the people has no title to enforce it. A government which has done its duty will never need to enforce it. A people, whose industry is unfettered, will increase and maintain themselves at home, till the pressure becomes sufficient to make them consider emigration desirable. A people who are intelligent and well educated will emigrate, without the application of any artificial stimulus, as soon as this pressure is sufficient to render subsistence in their native land difficult or scanty. But a people who are neither educated nor unfettered; whose subsistence has been made meagre by restric-

manufactured are more than we can sell, which we are prohibited by act of parliament from receiving the only thing which we want and our customers have to pay in."—*Col. Thompson*, i, p. 201.

* "The point for sensible men to aim at (says Col. Thompson) is manifestly to have just so much emigration as shall be forced upon them after their own best efforts to prevent it."—*Pol. Exercises*, ii, p. 198.

tive laws, and whose industry has been cramped by legislative shackles; whose intelligence has never been cultivated, or, if cultivated, has never been directed towards a comprehension of their true position; whose vigour has been sapped by first hampering, and then protecting them—by first rendering it impossible for them to support themselves, and then engaging to support them at the cost of others; such a people will endure the pressure without dreaming of the remedy, because the operation of natural causes has been interfered with; because the pressure has been artificially produced, or artificially hastened, and the remedy artificially kept out of their sight.

So long as the people are devoid of that education which includes an acquaintance with those simple economic laws which bear upon their own condition, and a moderate degree of information regarding other lands—and so long as the poor laws ensure them a sustenance, however meagre and miserable, at home, it is not probable that they will, of their own proper motion, seek to better their condition by systematic emigration; nor, till the full establishment of industrial and commercial freedom, can government, with any show of justice, urge them to do so. But if the time should come—after all the shackles upon our industry have been removed—when our agriculture, and our home and foreign trade together, shall prove insufficient to maintain in comfort our increasing numbers, then systematic and extensive colonization will become both a legitimate and a necessary outlet. Whether we ought to wait for the arrival of that time, or should endeavour to forestal it, is a matter for grave consideration.

We are disposed to think that colonization to a very great extent might be properly and most advantageously encouraged by our government; not as a substitute for free trade, but as a most powerful, and, in the end, a most useful auxiliary; and we would entreat those who feel any—not unnatural—jealousy of such encouragement, carefully to weigh the following brief suggestions. As a general rule, will it not be the case that as soon as the population of any country arrives at a certain degree of density—such as some European states have already reached, and as others are fast approaching—it must be driven to manufacture for itself, from the mere necessity of providing employment for its increasing numbers? And that, as soon as this density increases to a certain further point, the same necessity will drive it to manufacture for export? Does it not follow from this, and do not existing operations confirm the deduction,* that the

* In 1828, the exports to our own colonies (and China) formed 29 per cent. of the whole. In 1840, they formed 34 per cent.

markets which we shall longest retain, and the only ones which we can hope ultimately to retain, are those of newly-settled, and therefore thinly-peopled countries, such as North and South America, and our own colonies in different parts of the world? And of these, will not those inhabited by our own countrymen, both from fiscal regulations and from natural preference,* be the last in which foreign manufacturers will be able to interfere with us? In other words, are not our own colonies the last markets from which we shall be driven by the increasing numbers and developing energies of rival producers? Are they not both our safest, our most permanent, and, per head, our largest customers? †

The master-evil under which England is now suffering is, beyond question, a derangement of the due proportion between her power of producing and her power of selling. Her markets are too scanty for her industry. The adoption of free-trade principles will go far to rectify this derangement, by opening new markets and enlarging old ones. But colonization will rectify the derangement by a double operation. It will multiply her customers, and reduce her labourers. It will increase the demand for her manufactures by the very same operation which diminishes the numbers engaged in fabricating those manufactures. In a word, colonization changes producers into consumers. If, for example, an artisan who here produces 20*l.* worth of commodities, and purchases only 20*s.* worth, emigrates to Australia, and there becomes a purchaser (as he would do) to the amount of 11*l.*, it is clear that he redresses the balance between supply and demand; *i. e.*, he increases the demand for manufactures, and lessens the competition for employment, to the amount

* There is much truth in the above argument, but it seems to need qualification. The time can never arrive when trade between old countries will entirely cease, because all old countries can never equally succeed in manufacturing the same commodities. Manufactures depend upon soil and climate almost as much as agriculture. We owe our superiority in many fabrics to our inexhaustible supplies of iron and coal, and some centuries at least must elapse before Portugal and China will export steam-engines instead of wine and tea.—*Ed.*

† Consumption per head of British produce exported to the following countries in 1836:—

| | £. | s. | d. | |
|-----------------------------|----|----|---------|-----------|
| Russia | - | - | 0 0 8½ | per head. |
| Spain | - | - | 0 0 8 | " |
| Portugal | - | - | 0 0 8 | " |
| France | - | - | 0 0 11 | " |
| United States | - | - | 0 17 0 | " |
| British North America | - | - | 1 11 6 | " |
| British West Indies | - | - | 3 12 0 | " |
| British Australian Colonies | - | - | 11 15 0 | " |

of 30% yearly. To state the case broadly—the man buys a coat, instead of making a coat; consequently, a coat more is wanted, and a coat less is made; and prices, profits, and wages are all enhanced.

If, then, our colonies are likely to be our last, our largest, and our surest markets; if colonization promises the speediest and most effective relief to the overburdened mother country; and if our numerous colonies are not only able to absorb the increasing numbers which so embarrass us at home, but are anxious for them, and are willing to pay the cost of their transference (as we believe to be the case), then it is the direct interest and duty of government to encourage and facilitate emigration to our foreign possessions, as soon as, by unfettering native industry, they have put themselves in a position to do so with decency and justice.

Had our people been well educated, no urging and little encouragement would have been required to induce them to exchange a land of pressure for a land of plenty—a land where labourers are famishing for want of employment, for a land where employers are ruined for want of labourers—a land where industry is the helot of capital for a land where the relative position of these two great elements of production is, in a great measure, reversed. A moderate acquaintance with the economic laws which regulate the material welfare of the labouring classes would have long since shown them the desirability of such a step; a moderate amount of information regarding foreign and colonial countries would have divested it of its mysterious terrors; while that decent self-respect which a sensible education could not fail to foster, would have taught them infinitely to prefer it to dependence upon legal charity. And here too, therefore, our often-repeated conviction is forced back upon us, that a sound education is the one thing needed, and that, though it might be too much to say that popular ignorance is at the root of all our social sufferings, yet assuredly it has caused many, it has prolonged and aggravated all, and its removal is an essential preliminary to their effective and permanent relief.

It is important that our legislative classes should clearly understand the perplexing and formidable dilemma into which a long course of inequitable and unscientific lawgiving has at length brought them. Between the poor laws and the corn laws they are in a cleft stick—of their own making. By refusing, or neglecting, to educate the people, and still more by fettering their industry and curtailing their resources, they have, in the first place, incurred the obligation to support all whom they have

thus deprived of the ability to support themselves; and, in the second place, they have secured the constant multiplication of this class. We hear much of the "natural right" of the poor man to a maintenance out of the produce of the land which gave him birth. We hold that there is no such natural right. The labourer originally has no more claim to be supported out of the parish funds, than the peer or the senator has to demand a provision for himself or his younger sons out of the revenues of the State. In the middle ranks, if a man's property is insufficient for the maintenance of all his children, or if his own occupation affords no suitable opening for them, he sends them to seek their fortunes abroad, or to earn their livelihood in different professions. In the upper ranks, when the same common case occurs, the father, it is true, has generally quartered his family upon the public; but it is certain that he had no just claim to do so, and it is beginning to be considered infamous to advance that claim. Why, then, should the labourer have a title to maintenance at the cost of others which his superiors have not? The title is clearly not inherent in his nature or his condition. The "right" so much insisted on is not a natural, but an acquired one. It is a right which has grown out of a wrong. It is the indefeasible right which every man possesses to compensation, for injury which has been done to him. The poor law is a consequence—a corollary—a compensation—for the corn law. The claim which every labourer has to be supported by the land, is based upon those enactments of his landlord which incapacitate him from supporting himself. A people to whom suitable instruction had given the full possession of their natural capacities, and who were left free to exercise their industry in the manner they deemed most profitable, would have no shadow of a title to maintenance out of the industry of others. But the consequences of injustice are awful, and haunt the steps of the perpetrator everlastingly. The moment you wrong a man, you become his debtor. The moment you rob a man, you give him a perpetual mortgage over all your possessions. The moment you tie a man's hands and feet, you bind yourself to work for him, and walk for him. The moment you deprive a man of freedom, you become, in the eye of morality, *his* slave. This is now the position of the landed proprietors of England, on whom the poor law is Nature's retaliation for the corn law. By endeavouring to grasp a larger portion of the produce of industry than of right belonged to them, they have brought upon themselves the burden of sustaining the labourers whom they have robbed,—a burden which they cannot now shake off, which is daily increasing, and the ultimate weight of which no prophet can foresee.

It is well, perhaps, that it is so. Under existing circumstances—*i. e.*, with inequitable laws and an uninstructed population—we regard the poor laws as the chief safeguard of society; and for this reason: they ultimately make the richer, and especially the landed and legislative classes, partakers in the impoverishment, and sufferers by the sufferings of the poor; and they thus secure a consideration and a cure for social wretchedness, as soon as it has reached a certain height. Whether this height is low enough to save us from explosion—whether the safety valve is sufficiently delicate and early in its operation—may be a question; but that the legal provision for the destitute has a most salutary influence of this nature, is indisputable. When, by the prolonged pressure of distress, the poor rates have become unusually heavy, the proprietors of land begin to feel the burden, and inquire anxiously for a remedy. But if there were no existing law in this country to compel the rich, in the last resort, to support the poor, the rich would have no interest but a philanthropic (and therefore a partial and a weak) one, in seeking a diminution of their numbers, or a mitigation of their distress; and destitution and exasperation might extend unnoticed, till they reached a pitch fatal to the security of our social institutions.

It is on this circumstance that we ground our chief hope of inducing a close and serious examination of the perplexing question—How to provide for our multiplying population? The case for consideration is briefly this:—At present the field for the profitable employment of our people is not only not increasing so as to absorb our increasing numbers; but appears likely even to diminish, so as to threaten the subsistence of our existing numbers. Now if the field of employment only remain as it is—without extension, but also without curtailment (a favourable assumption)—our added numbers, *viz.* 230,000 annually, must be supported in unproductiveness by the capital or the industry of others. Their entire maintenance cannot, on an average, cost less than 10% a year each. Unless, therefore, the field of employment can be speedily and vastly extended, next year, and each succeeding year, will call upon the proprietors of this country for an unproductive additional subscription, in one shape or other, of nearly two millions and a half. Dare they face this call? If not, how will they evade it? There are but two means: the extension of manufacturing industry; or vigorous and systematic colonization. We have shown that, to both these measures, the removal of all restrictive commercial laws is an indispensable preliminary. It remains to be seen whether our legislators will prefer to face the evil, or to face the remedy.

W. R. G.

- ART. VII.—1. *Narrative of the Expedition to China.* By Commander J. E. Bingham, R.N. 2 vols. Colburn. :
2. *Closing Events of the Campaign in China.* By Captain Granville G. Loch. Murray.
3. *Rambles of the Emperor Ching Tih.* A Chinese tale. 2 vols. Longman.

WE presume that attached to the Chinese expedition there were men qualified, both by habits of observation and literary attainments, to profit to the fullest extent by the opportunities afforded by the late war, and to give the public a better account of China and its inhabitants than the mere outline sketches of this remarkable country and people which have hitherto appeared. We look, therefore, for a work of higher merit than any of the recent publications on this subject; a work containing not only accurate information upon the events of the war, but trustworthy data relative to the resources of the country, its forms of government, the real extent of the population, accompanied with good descriptive plates of scenery, buildings, and customs unknown to the Western world. Perhaps the person best qualified by his position to write such a book is Sir Henry Pottinger, and we hope the usual intimation of government has not been withheld, that he would be rendering an acceptable service by employing himself in this task. While, however, we are waiting for a careful digest of the materials at his command, we would not neglect nor undervalue the contributions of the officers who have laid aside the sword for the pen to favour us with such particulars as they were enabled to glean of the Celestial Empire, amidst the stirring scenes in which they moved. We owe our thanks to Commander Bingham and Capt. Granville Loch, the authors of the two works at the head of our list, not forgetting our friend Tkin Shen, the *Chinese translator into English* of the curious tale entitled the 'Rambles of the Emperor Ching Tih,' which, with the volumes of the naval gentlemen alluded to, it is our present duty to introduce to the reader.

In commenting upon various incidents of the war which we find detailed in the volumes before us, we shall not be expected to enter into a statement of its origin. We will briefly, however, repeat the opinion expressed in a former article upon China, when we had occasion to discuss the subject at length.*

The Chinese war is not correctly described as an opium war,

although the final breach was occasioned by an attempt of the Chinese government to suppress by energetic measures (for the first time adopted), the smuggling traffic in which our merchants, with the connivance of the provincial authorities, were engaged. There were no difficulties occasioned by the opium trade which might not have been arranged without any interruption of amicable relations, if judicious measures for regulating our intercourse with the Chinese had been adopted by the British government before the rupture. The origin of the war was our own ignorance of Chinese institutions, our indifference about a collision, and neglect of proper means to apprise the Chinese government of the nature of the change, when the monopoly of the East India Company was abolished in 1834. When that change took place the officers of the East India Company (who were well acquainted with the people, and had authority besides to enforce whatever regulations they thought necessary among the British shipping) were of course withdrawn, and every English trader was left at liberty to do what was right in the sight of his own eyes, no matter how opposed to Chinese forms and usages. The consequence was that the trade in opium, which before had been held in some sort of check, now flourished to an unprecedented extent, and was so openly and boldly carried on as to force itself upon the notice of the Chinese government. In the midst of this Lord Napier was instructed to demand the right to set aside all official etiquette and old-established mediums of communication, and to communicate with the emperor direct by letter. Such a demand, unsupported by an embassy or a fleet, and made by a single individual, without even the power of a supercargo of the East India Company to repress disturbances among his own countrymen, must have appeared to the high mandarins an extravagant insult. It was, of course, so treated, and thus the misunderstanding began.

We committed the fault of taking no pains to understand, and of treating with contempt, the rulers of a state outnumbering in population the whole of Europe, and on that account scarcely unreasonably vain of their own importance. We even went to war with the government without having given ourselves the trouble to learn the language of the people sufficiently well to translate correctly an imperial edict, so that from first to last the differences which existed have been aggravated by the most extraordinary mistakes on our part respecting the meaning of various terms employed by officers of the Chinese government; terms which it was imagined conveyed insult when none was intended. Of these we have before given an instance in

the word "barbarian," by which, we have been constantly told, the English were uniformly designated. We know not which of the interpreters it was who first led the British public into this error, but he ought to have been immediately dismissed for gross ignorance of the language or wilful misrepresentation. The term "barbarian" is, as we need hardly say, an English, not a Chinese word, meaning (in its modern sense), a savage, or aborigine, uncivilised, ignorant, and cruel. But the Chinese word, of which this has been given as the translation, has no such signification. The word so translated, "*man*," it appears from the 'Chinese Imperial Dictionary,' is used to denote any distant country or people, but chiefly "foreigners from the south." * We observe that in several of the official Chinese documents quoted in the appendix by Captain Bingham, the term "foreigner" is substituted for "barbarian," but in others, obviously translated by less able hands, the word "barbarian" continually occurs, while neither Commander Bingham nor Captain Granville Loch seem to be at all aware that the original Chinese term does not bear this coarse and offensive application.

To any person well acquainted with the two languages the many blunders on both sides committed during the negotiations of the two governments must have afforded great amusement. We should like to have watched the countenance of some of the literati of Peking when reading an English proclamation done into Chinese by such linguists as happened to be at the command of Lord Napier, or even of Sir Henry Pottinger. No pains seem to have been taken by government to train an efficient corps of interpreters, and as very few were to be obtained at the moment their services were required, whole divisions of the army and fleet were continually left without any means of intelligible communication with the enemy. Thus we find the 'Pylades' attacking and burning a large Chinese vessel supposing it to be a pirate, a conjecture which fortunately happened to be correct, but which, having been founded wholly upon such information as could be gathered from signs made by Chinese fishermen, might have proved a cruel and wanton outrage upon innocent men. With so much ignorance on our side, it raises our respect for the Chinese to find, from the volumes before us, that natives of China were sometimes met with who had acquired an almost perfect command of the English language, and as a palpable evidence of the fact, here is a Chinese novel, which there appears no reason to doubt was really translated

* 'Westminster Review,' vol. 34, page 285.

into English by a Chinese student at Malacca, named Tkin Shen, with some revision on the part of the tutor, Mr Legge, President of the College at that place.

At Hong Kong the compositors employed to print English newspapers and other periodicals are all Chinese, there being not a single English printer in the settlement; and if the ability to read and write on the part of nearly the whole population, and the literary pursuits of the upper class, were alone sufficient proofs of a high civilization, we might fairly place in estimation the Chinese upon a level with ourselves, notwithstanding their present ignorance of the art of war, which, by the way, is very little to their discredit.

The road to preferment in China is through the Universities, and it is curious to note that the test of merit is very similar both in China and England. At an English University the grand aim is familiarity with the works of the ancients, and the ability to write Greek and Latin verses; so it is at the Universities of Nankin and Peking, only the verses written are in the ancient and modern Chinese characters, and not in the characters of Rome or Athens. We observe in all Chinese novels that we have read, that the greatest officers of the realm are invariably assumed by the writer to be those who have won the highest honours at the Universities, and chiefly honours for verse-writing; and here we may quote an instance of their talent in this way, amounting to something more than cleverness, which we take from the 'Rambles of the Emperor Ching Tih.' We must premise that the scene described is a birth-day feast, at which Leang Choo, the Prime Minister or "Guardian" of the Empire, introduces himself in disguise, announcing himself to the brothers, by whom the entertainment is given, as a relative from a distant province whom they had never seen:—

"When the wine had circulated several times, Tso Sae Sin, the sub-prefect of the Heen, observed, that their meeting occurred on the same day as the anniversary of the Geni's peach-day, and that they ought to have some poetry to heighten their joy, and he would therefore call on some of his gifted friends to favour them with a few stanzas.

"This suggestion being received with loud applause by all present, the sub-prefect requested Chae Jin to produce a piece of white silk. This being speedily done, and the articles of writing at the same time, Jin handed them to Chin Ming Pei, the prefect of the Foo, requesting him to lead the way with his pearly lines.

"'I ought to obey your orders,' said the prefect; 'but, as in the court precedence is regulated by rank, in such meetings as this we village magistrates go by age, and as this is a family feast I must request your venerable uncle to commence, and I will follow him.'

"Chae Jin accordingly presented the silk to Leang Choo, who at first declined it. All the officers, however, protesting against such an action; 'Your talents are high,' cried they, 'and your learning extensive, and, moreover, in the first place, you occupy the chief seat; in the second, you are the senior of us all; and in the third, you are a stranger from a distant country. You must lead the way.'

" 'Since you urge me in this way,' said Leang Choo, 'I must comply with your request, notwithstanding my stupidity;' and with these words he proceeded to a vacant table, and spread out the silk upon it. The officers and all the relations of the family who were present advanced to see him, and the guardian had got the pencil in his hand, and was about to write, when Kwang Hung stopped him.

" 'You are old,' said the fellow; 'if you can acquit yourself properly you may write, but if not you will destroy this silk, I am afraid. You had better make a rough draft, and carefully examine it before you transfer it to the silk.'

" 'Whether I can do it well or not, I do not yet know,' replied the guardian, with a smile. 'Wait until I have written, and then we shall see.'

"With this he prepared the ink, and began writing, while all the company stood on tiptoe to see him, and when they observed the first line,

" 'The damsel was no gentle lady maid,'

they were silent, and looked each other in the face. Kwang Hung, indeed, was in a great rage, and said to Chae Jin, 'Do you see how the dog writes out plainly before your face that your mother was originally nothing but a bond maid-servant? You should not allow him to write in such an outrageous way, for I am afraid the other lines will be still more to her disgrace.'

"Chae Jin, however, was struck with the dragon-like movements of the stranger's pencil, which did not at all betoken one who did not know what he was about, and, moreover, he was incensed by the way in which his uncle had revealed the very matter to be kept secret. He therefore answered in a passion, 'Is not such a damsel still a human being? Men of spirit don't care what one's origin may be. Don't talk so much. My venerable uncle's talents and learning will enable him to produce a composition above the common order.'

"Then turning to Leang Choo he begged him to pardon the other's impertinence and go on. The guardian nodded his head, took the pencil, and wrote—

" 'But from the moon she came, a fairy wight;
Five sons she bore—of thieves they played the trade.'

"When he had written so far he purposely stopped, and looked round upon the guests. All of them, he observed, wore a look of anger mingled with alarm and uneasiness. Chae Jin, also, and his brothers, seeing themselves reflected upon, felt stung, and became

very suspicious of him ; but Kwang Hung no sooner heard them all read out the last line than he could not restrain his tongue, but, pointing to Leang Choo, in a rage, he exclaimed, ‘ You may calumniate men, and call them thieves or robbers, but, according to the law, a false accusation recoils upon its mover. The grandsire of the Foo and the parent of the Heen are both present, and can judge the matter, and our neighbours, the other magistrates and gentlemen here can be witnesses. The saying is, ‘ A thief is proved by the articles produced.’ What articles can you produce in the present case ?’

“ ‘ If there be articles forthcoming,’ said Leang Choo, ‘ what then ?’

“ ‘ If there be,’ replied Hung, “ I will suffer the punishment due to my nephews ; but if there be not you are guilty of calumniating the innocent, and must be punished with thirty blows of the great bamboo, notwithstanding you are their uncle.’

“ ‘ Agreed,’ said the guardian, ‘ agreed.’ And while he was speaking he concluded the verses.

“ ‘ The damsel was no gentle lady maid,
But from the moon she came, a fairy wight ;
Five sons she bore—of thieves they play’d the trade,
Yet no man’s gold they filch’d, nor jewels bright ;
But ever by the pearly pool they stray’d
And stole the peach to hail her natal light.
Bliss as the eastern ocean wide be hers for aye,
And life coeval with the hills without decay.’

“ When he had finished the whole hall resounded with the praises of the guests, and the five brothers, full of joy, entreated him out of regard to them to forgive the impertinence of their uncle. They requested him also to write his name, that it might be preserved as an heirloom in the family. The guardian accordingly took the pencil, but wrote merely ‘ Leang, of Kwang Tung,’ and immediately after he took his leave hurriedly, and departed.”*

But there are better things in China than rhyming talent ; there are laws and institutions which not only allow the people to live, but, notwithstanding all that has been said and fabled of the pressure of population on the means of subsistence in that quarter of the globe, enable them to live in a state of comfort which might well excite the admiration of an English officer, familiar with the state of Ireland, and remembering the distress he had left behind at home. Captain Loch is describing a march through a rural district :—

“ We trod drier ground as we receded from the river ; and besides the perpetual rice, saw fields of beans, corn, cotton, and other plants. Farms, surrounded by high shrub hedges, neatly interlaced with platted bamboo, were thickly scattered over the country.

* ‘ Rambles of the Emperor Ching Tih,’ vol. ii, p. 57.

Nothing could be more rural than the appearance of the houses, some in clusters, others by themselves, all half hid by umbrageous enclosures, delightful lanes of fruit trees, and abundance of wild honeysuckle and roses. Affluence and industry were everywhere apparent, and a love of neatness conspicuous from the arrangement of the houses to the tilling of the ground.

"We saw crowds of peasantry in every direction; they climbed the trees and little knolls to obtain a good view of us from a distance; but when a long survey convinced them that we were not 'frantically' disposed, they approached with confidence. Our handful of men would not have been a mouthful a piece to the multitudes around us.

"We went through two villages; the shops were open and the people remained in them; the first time such confidence had been shown towards us in China. Strict orders were issued to touch nothing, and to the credit of the thirsty troops be it spoken, they were obeyed. Almost every house has its little garden shaded by trees; among them I remarked the tulip, the tallow, and the mulberry. We flushed a pheasant or two, and I heard some partridges, during our march. The former bird is very plentiful throughout all Central China; at Chusan the officers in winter quarters had excellent sport."

The misery of the agricultural classes in China does not appear quite so intense as might have been anticipated from the statements of some philosophers, who tell us that without great estates and large farms, protected from sub-division by laws of primogeniture, a nation must be on the brink of ruin. But even in the densely populated towns we learn that there exists a large class able to command in a high degree refined and artificial means of enjoyment. Here is an account of the public gardens, or Royal Victoria Park, of the town of Chan-Hai :—

"In the centre of a serpentine sheet of water there is a rocky island, and on it a large temple of two stories, fitted up for the accommodation of the wealthy public. Pillars of carved wood support the roof; fretted groups of uncouth figures fill up the narrow spaces; while movable latticed blinds screen the occupants from the warmth of the noonday sun. Nothing can surpass the beauty and truth to nature of the most minutely carved flowers and insects prodigally scattered over every screen and cornice. This is the central and largest temple. A number of other light and aerial-looking structures of the same form are perched upon the corners of artificial rocky precipices, and upon odd little islands. Light and fanciful wooden bridges connect most of these islands, and are thrown across the arms of the serpentine water, so that each sequestered spot can be visited in turn. At a certain passage of the sun, the main temple is shaded in front by a rocky eminence, the large masses of which are connected with great art and propriety of taste,

but in shape and adjustment most studiously grotesque. Trees and flowers and tufts of grass are sown and planted, where art must have been taxed to the utmost to procure them lodgment.

"In another part of the gardens there is a miniature wood of dwarf trees, with a dell and waterfall; the leaves, fruit, and blossoms of the trees are in proportion to their size.

"Tortuous pathways lead to the top of the artificial mountain, each turning formed with studied art to surprise and charm, by offering at every point fresh views and objects. Flowers and creepers sprout out from crevices; trees hang over the jutting crags; small pavilions crested with the white stork, their emblem of purity, are seen from almost every vista, while grottoes and rocky recesses, shady bowers and labyrinths, are placed to entrap the unwary, each with an appropriate motto, one inviting the wanderer to repose, another offering quiet and seclusion to the contemplative philosopher."*

The streets of most of the large towns in China are narrow, and the houses often ill built, but this is not an invariable rule. Speaking of Chin-Kiang-Foo, Captain Loch says:—

"It was the prettiest Chinese town I had seen; the houses were all well kept, and the interiors of many magnificent, the streets well paved and clean, and open grassy spaces, and gardens, gave a grace and airiness not usually met with in walled cities. Quiet and peace seemed to reign paramount in the still evening, while the fragrance of the flowers surrounding almost every house calmed the strong excitement that had possessed us throughout the day."

Let us change the scene and describe the consequences of the visit to which we owe the above picture:—

"I went with two soldiers of the 18th down a street to the right, to a large house, which I concluded belonged to a Tartar of consequence; we burst the door and entered. Never shall I forget the sight of misery that there met our view.

"After we had forced our way over piles of furniture, placed to barricade the door, we entered an open court strewn with rich stuffs and covered with clotted blood; and upon the steps leading to the 'hall of ancestors' there were two bodies of youthful Tartars, cold and stiff, much alike, apparently brothers. Having gained the threshold of their abode, they had died where they had fallen, from the loss of blood. Stepping over these bodies, we entered the hall, and met, face to face, three women seated, a mother and two daughters; and at their feet lay two bodies of elderly men, with their throats cut from ear to ear, their senseless heads resting upon the feet of their relations. To the right were two young girls, beautiful and delicate, crouching over and endeavouring to conceal a living soldier.

* 'Closing Events of the Campaign in China,' p. 49.

"I stopped, horror-struck at what I saw. I must have betrayed my feelings by my countenance, as I stood spell-bound to the spot. The expression of cold unutterable despair depicted on the mother's face changed to the violent workings of scorn and hate, which at last burst forth in a paroxysm of invective, afterwards in floods of tears, which apparently, if anything could, relieved her. She came close to me, and seized me by the arm, and with clenched teeth and deadly frown pointed to the bodies—to her daughters—to her yet splendid house, and to herself; then stepped back a pace, and with firmly-closed hands, and in a hoarse and husky voice, I could see by her gestures spoke of her misery—of her hate, and, I doubt not, of revenge. It was a scene that one could not bear long; consolation was useless—expostulation from me vain. I attempted by signs to explain, offered her my services, but was spurned. I endeavoured to make her comprehend that, however great her present misery, it might be in her unprotected state a hundred-fold increased; that if she would place herself under my guidance, I would pass her through the city gates in safety into the open country, where, doubtless, she would meet many of the fugitives; but the poor woman would not listen to me; the whole family were by this time in loud lamentation; so all that remained for me to do was to prevent the soldiers bayoneting the man, who, since our entrance, had attempted to escape.

"I left them, to return to the commander-in-chief."

There is nothing new in this scene of horror; a similar tragedy has been acted a thousand times,—it is only a page from the history of all towns taken by storm, whether in Asia or Europe; but it would be well if every Secretary of State for Foreign Affairs would read it and read it again whenever tempted to put an end to protracted and troublesome negotiations by cutting the Gordian knot with the sword. What a frightful responsibility is incurred by the minister who, by a stroke of his pen, lets loose pillage and murder among mankind! Is it true that under any circumstances the legitimate objects of commerce cannot be attained without having recourse to slaughter, or that they are worth attaining by such means? We do not believe it; but the statesmen have yet to be formed who will honestly put their trust in moral influences, and learn to call glory and conquest by their proper names.

The sacrifice of life in China was much greater than could have been anticipated from the known inferiority of Chinese troops, but Captain Loch tells us that the upper classes showed by their conduct that they could not brook defeat. Suicide in the event of capture is held to be a duty, and the mandarins would never allow themselves to be kept prisoners for any

length of time. All who were taken alive either starved themselves to death, or otherwise put an end to their existence.

"The Chinese have shown many individual instances of conspicuous gallantry: it may be sufficient to remark one in particular that occurred on the ramparts of Chin-kiang-foo. A mandarin led a small party of about thirty men against a company of General Schoedde's advancing column; a volley dispersed his soldiers, but he marched up to the points of the bayonets; and, after firing his matchlock, succeeded in pulling over the ramparts with him two of the grenadiers.

"I feel persuaded that, if drilled under English officers, they would prove equal, if not superior, to the Sepoys; they have greater physical power, greater obstinacy, and, consequently, minds that retain impressions with greater tenacity, and would be slow to lose confidence after it was once built upon the foundation of their vanity."

But acts of courage were not wanting among the common soldiers, especially the Tartar troops. The following example of desperate valour occurred on the capture of Chapoo:—

"Up to this point the loss on our side had been very trivial; but here three hundred Tartars, finding their retreat cut off by the 26th regiment, threw themselves into a loop-holed joss-house in one of the defiles, and defended themselves a considerable time with the most determined bravery. The artillery had no effect in dislodging them. This check to the whole force by a handful of men, could not be borne, and several runs were made at the door, to burst it in and get amongst them, but without effect. The gallant Colonel Tomlinson, of the 18th, was shot through the neck in leading one of these assaults, and several other officers and men fell at this spot. Ultimately, the place was fired by rockets, and breached by bags of powder, placed under the superintendence of Captain Pears, when about fifty of the defendants were taken prisoners, but nearly all of them wounded."^{*}

One or two instances of daring and cool intrepidity in danger on our own side may be noticed. The first would have had somewhat of a fool-hardy character if the effects of the superior weapons and discipline of the British had not already made themselves felt and feared among the Chinese:—

"Lieutenant R. B. Crawford, R.N., serving as a volunteer on board the 'Phlegethon,' commanded by Lieutenant M'Cleverty, R.N., volunteered his services during the height of the firing to land with a few picked men and take the fort by surprise, spike the guns, and hoist the British colours. His offer was not immediately accepted, but afterwards he obtained the jolly boat *with four hands*, who, though reluctantly, consented to go with him. On reaching the

* 'Narrative of the Expedition to China,' by Commander J. E. Bingham, vol ii, p. 324.

beach this officer dashed up the hill alone, and rushing in at a postern-gate which he found open, instantly discharged his double-barrelled fowling-piece and a brace of rifle pistols amongst forty or fifty Chinese, who were lolling and smoking between their guns. The enemy, not noticing the solitary situation of their daring assailant, rushed out through the opposite gate, and flying helter-skelter down the hill, came in contact with a party who by that time had landed from the 'Phlegethon's' gig. In the meantime, assisted by one of the men from the jolly boat who had now ventured to join him with the flag, Crawford displayed from the walls of the captured fort the British ensign, which was opportunely greeted with three hearty cheers from the 18th on board the 'Nemesis,' passing at the moment with Sir Hugh Gough, who is reported to have exclaimed,—'There goes the ensign, the sailors have left us nothing to do.' "

The second instance is that of two young midshipmen, one of sixteen, the other but fourteen, who narrowly escaped being kidnapped and murdered on a foraging excursion. They had made a trip to a country farm house, to purchase some goats, with which, however, they found the farmer indisposed to part.

"Despairing of success our young friends were about to turn their steps homeward, when a sturdy fellow, with large mustaches, and about five feet ten in height, approached the old man; after a conversation with whom, the workmen of the farm were called in, amounting to about twenty fellows armed with rakes and hoes.

"The stranger then walked up to Mr Prattent and offered him the goats for a less sum than had been originally refused by the old farmer. This proposal was at once accepted, and young Bencraft began to sling the kids across his back, while his companion, laying his gun in the hollow of his left arm, put his right hand into his pocket for his cash. At this moment the stranger seized the gun, while one of the labourers pinned its owner by the throat against the hedge. Instantly Bencraft dropping the kids sprung at the man who had possession of the gun, and seized it before he had time to discharge it; the Chinaman was much the strongest, but being anxious to cock the gun he had both his hands about the small of the piece; this was an opportunity our young hero did not let slip, for seizing the extremities of the gun and making a desperate effort, he succeeded in wrenching it from the fellow's grasp, striking him at the same time a smart blow with the butt on the side of the head. The piece being now in his possession, it was but the work of a moment to discharge one barrel at his powerful adversary, the contents taking effect on the fellow's head, who instantly fell.

"The villain with whom Prattent was struggling, and whom he

* 'Narrative of the Expedition to China,' by Commander J. E. Bingham, vol. ii, p. 243.

had blindfolded by pushing his hat over his eyes, on hearing the report of the gun, suddenly let go his hold and turned round, while the rest of the Chinese began to close in, fearing no farther harm from what they now regarded as an inoffensive weapon. At the same moment Prattent sprang forward, and snatching the gun from his companion, although he had not time to bring it to his shoulder, succeeded in lodging the contents of the loaded barrel in the stomach of the fellow with whom he had been struggling just before, upon which he dropped.

"This brought the remainder of the Chinese to a stand ; for seeing the gun go off *twice* in so short a time, they probably supposed that it might do so again and again. Prattent, perceiving this, made no attempt to reload, which would have betrayed the real state of the case, but bringing the empty piece to his shoulder, he pointed it at every one that attempted to move. Our young men remained in this critical situation for about ten minutes, when they were rescued by a small party of the 18th Royal Irish, who providentially had been digging sweet potatoes on the brow of the neighbouring hill, whence they were attracted to the spot by the report of the gun."

The difficulty of obtaining fresh provisions was often great, for the policy of cutting off the supplies was fully understood by the Chinese, and the peasantry were ordered by the mandarins not to sell or part with their cattle on any terms to the English. It is amusing, however, to observe how soon means were contrived to evade the prohibition when the demand was found to be accompanied with good prices and prompt payment :—

"Foraging parties from both services were now daily sent out, and obtained from four to six bullocks per day ; in one valley in particular they were always certain of finding some, the admiral having directed that the price asked for them should be paid, thereby to encourage the natives to put their cattle in our way, which was actually the case, for they feared to sell them to us, lest they should be informed against and punished by the mandarins as soon as the British force should quit the island ; therefore when foraging parties were seen approaching they always made a fruitless attempt to drive their bullocks away, but somehow or other they never succeeded, leaving the valley with dollars instead of beasts, from fifteen to twenty being the price paid for each bullock, double their value, but cheap to us."

Among the hair-breadth escapes narrated in these volumes is one which, had the issue not been fortunate, would have changed the results of the whole war. Great must have been the mortification of the mandarins when they learned that Sir

* ' Narrative of the Expedition to China,' by Commander J. E. Bingham, vol i, p. 287.

Gordon Bremer and Captain Elliott had been in their power and escaped. The 'Louisa,' with the two plenipotentiaries on board, was caught in a typhoon and thrown on the rocks near the Canton river:—

"By great exertion, the whole of the shipwrecked party, twenty in number, succeeded in getting on a rock, free from all danger of the tempest. About half-past five, by the ebbing of the tide, a visit to the wreck became practicable, and a small quantity of clothing and provisions were saved, including eight bottles of gin. A party which ascended the hills reported that not a vestige of a house could be seen; they, therefore, endeavoured to make themselves as comfortable as they could for the night. Having found in the precipice a fissure, through which a small mountain stream ran, in this they placed stones to fill it; a tarpaulin saved from the wreck was then strapped across the entrance to this cavern, protecting it from the still raging typhoon. As many as it would contain, after wringing their clothes, sat down in it, and were covered with a large blanket. The remainder, rolling themselves up in others, laid down outside, exposed to the wind and rain, the latter of which descended in torrents through the night.

"In the morning, to the great joy of all hands, two Chinese now made their appearance, and one of them was immediately recognised as a Macao boatman. He was at once offered a thousand dollars, if he could procure a fishing boat to take them thither, which he at once agreed to do. The party shouldering the provisions they had saved, and putting on as many clothes as they could, accompanied their guide in single file over two hills, and as they came to the top of a third, a creek was opened to their view, with an extensive village on the banks. The moment they were seen, the women and children ran away screaming 'Fanqui! Fanqui!' while the men, armed with bill-hooks, rushed up the path in hundreds, to meet these supposed marauders. The guide soon explained to his countrymen how matters stood. About sixty then passed on towards the wreck, while others employed themselves in stripping the party of all the clothing and articles they had, just leaving a sufficiency for common decency. In taking these clothes the commodore was knocked down by them, and Mr Morgan received a violent blow, for not complying with their demands as quickly as they wished.

"The commodore's black servant Joe puzzled them a good deal as to his sex; being a Gentoo his long hair was twisted up behind, and his ears decorated with rings, of which he was quickly despoiled.

"The wind having moderated a good deal, it was fully arranged, that at daylight on the 23rd, two boats should be furnished them, for which their owners were to receive one hundred dollars each, and a ransom was to be paid of three thousand dollars for the party. At daylight they were all ready, and after a little delay the two boats made their appearance; but the owners now advanced the price of their hire to one hundred and fifty dollars, which was no sooner

agreed to than the rascals increased it to two hundred, when Ming-fong interfered, and abused his countrymen most lustily for their rapacity. At length all was arranged, and the Commodore, Captain Elliot, Mr Morgan, and a servant took their departure for Macao, the rest of the crew remaining as hostages for the payment of the ransom money. In the boats they were compelled to lie down, and be covered over with mats; and most fortunate was it that this was done, for about 2 p.m. a mandarin boat passed them, questioning the boatmen as to the number of wrecks along the coast, little dreaming what a prize was close by them,—the two British plenipotentiaries."

It is to be presumed that the narrow escape of a company of the 37th from being overpowered by the Chinese, has taught a lesson at head quarters on the value of percussion locks, which will not be neglected in a future war:—

"The 3rd company of this regiment had, from the thickness of the weather, missed the Cameronians, to whom they had been detached, and had commenced a retrograde movement about the same time with the rest of the force: they had not, however, retired many hundred yards when their rear was assailed by a strong body of Chinese, armed with a variety of weapons, when one of the sepoys was pulled out of the rear rank by a long pike-shaped spear. Mr Berkeley, the ensign of the company, with half a dozen men, sprang to his assistance; but it was too late; he struggled hard for his life; and when surrounded by numbers, and his musket had been wrenched from him, he fought desperately with his bayonet, until he fell covered with wounds.

"A rallying square being rapidly formed, Mr Berkeley and his men returned to it, when a Chinaman, picking up the fallen man's musket, got behind a small bush, where he rested it on one of the branches, and coolly turning over the wet powder in the pan, took a deliberate aim at the officers, and then, applying his own match to the priming, he lodged the ball in Mr Berkeley's arm.

"Not a musket, in consequence of the heavy rain, could be got to go off with the flint and steel; while the bayonet was but a poor defence against the long spears of the Chinamen, who though surrounding our company by thousands, showed no wish to close.

"After a short time the square were enabled to remove to a more defensible spot; when the rain ceasing for a little while, a few of the muskets became useful; while some of the sepoys, tearing the lining from their caps, drew the wet cartridges, and baling water with their hands into the barrels, succeeded in partially cleaning them. By these means, they were shortly enabled to fire three or four successive volleys, every shot telling fatally on the crowd, not fifteen yards from them. This quickly drove the Chinese back, and admitted of the company's making a considerable progress towards the camp, their enemies following at a safe distance from their fire. The rain again rendering their muskets useless, and emboldening

the Chinese, they were for a third time obliged to form square, with the determination of remaining so for the night, when the timely arrival of the marines prevented the alternative. This arrival was doubly important, as just at the moment of its occurring, the enemy opened fire from a small gun which they had mounted on a neighbouring hill. The loss sustained by this company was one private killed, as we have before mentioned, and one officer and fourteen men severely wounded."

The most agreeable incident of the war was its close. Every step in the march of the British force had led to victory, but with a little more obstinacy on the part of the Chinese our conquests would have been our greatest embarrassment. It would have been easy to have taken Nanking, but somewhat more difficult to have held it. A fleet of seventy sail had anchored under its walls, 200 miles from the coast, but upon a thousand different points of the river it might have been found no easy matter to have maintained uninterrupted communications with the sea if, emboldened by familiarity with the enemy, the Chinese had suddenly plucked up somewhat of the spirit exhibited by the Affghans, and which, it will be remembered, was not displayed till after their first reverses, when the whole of Afghanistan, as the British public were told, had been entirely subdued. Sickness, in the form of fever and ague, had made its appearance among the crews of the ships, and we have no doubt Sir Henry Pottinger was not less anxious than the Chinese Commissioners to end the war at perhaps its culminating point of success.

Our friends in the City will read with much satisfaction Captain Loch's account of the mode in which the final negotiations for peace were conducted. It is clear that when the Chinese Ambassador arrives in this country he will be quite at home at the Mansion house: the dignitaries of Peking, like those of the London Corporation, imagine that no business of importance can be transacted without a dinner:—

"The plenipotentiary and his suite, consisting of Major Malcolm, Doctor Woosnam, Messrs Morrison, Gutzlaff, and Thom (the three interpreters), besides Mr Eastwick, a friend of Sir Henry's, and myself, proceeded in the admiral's barge up the canal to the appointed landing place, where we were met by a detachment of Tartar cavalry and a number of mandarins of rank. Horses provided by the artillery were in waiting, as also the envoy's guard of honour.

"Sir Henry landed under a salute of three guns, and a band struck up which set our teeth on edge. The horse artillery, admirably mounted upon Arabs, preceded the plenipotentiary, while the Tartar cavalry brought up the rear, their silk gowns and shaggy ponies offering a striking contrast to our fine fellows. We entered

the first gate we came to, opening to the N. W., and passed for about a mile up a long street leading to the southward, after which we turned to the left, and lastly, to the right into the street where the large government building appropriated to the interview was plainly observable, from the numerous flags and mandarins in front of it.

“Without dismounting, Sir Henry was conducted up the long enclosed entrance of the outer court, and up the steps of the second (a royal honour) to the door of the third, where the imperial commissioners were standing, surrounded by their high officers and functionaries. We were received with much dignified courtesy, and conducted through several rooms and passages of this immense house into the chamber of audience—a square apartment, partitioned by a horse-shoe railing, round which were placed chairs, fronting tables loaded with sweetmeats of every description. The tables and chairs were covered with red embroidered drapery, and the floor with crimson drugget. The bottom of this room opened into a court which was canopied by a chequered silk awning.

“A more tolerable band than we had yet heard commenced, as we sat down, a tune resembling a pibroch, and continued to play throughout the repast. Young white-buttoned mandarins handed round tea, hot wine, and sweetmeats, while a conversation upon general subjects was maintained between the commissioners and Sir Henry, through the medium of the interpreters.

“Numerous patties of minced meat, pork, arrowroot, vermicelli soup with meat in it, pig’s ear soup, and other strange dishes, were served in succession, in small china and silver basins; and in proportion to our various capabilities in making these messes disappear, we seemed to rise in the estimation of the beholders. But human nature could not support this ordeal long, and, as a *coup de grace*, Ke-ying insisted upon Sir Henry opening his mouth while he with great dexterity shot into it several immense sugar-plums. I shall never forget Sir Henry’s face of determined resignation after he found remonstrances were of no avail—nor the figure of Ke-ying, as he stood planted before him, in the attitude of a short-sighted old lady threading a needle, poising the *bonne bouche* between his finger and thumb preparatory to his successful throw.”

Accident played off a good practical joke upon one of the three Chinese Commissioners, but which might have been attended with serious effects:—

“Elipoo, who appeared very weak and unwell during the conference, requested Dr Woosnam to prescribe for him. It appeared that, added to old age, he was suffering under violent attacks of fever, ague, and the liver, and from these he desired to be speedily relieved. The doctor said he would prepare medicines if a messenger was sent to the ships with us to take them back; accordingly a mandarin of the name of Chang, a notorious drunkard, was ordered to accompany us.”

At the next interview Elipoo appeared greatly debilitated in consequence of the medicines he had taken. The mandarin sent for them had got very drunk and lost the prescription.¹

"Afraid to confess his delinquency, he told Elipoo he was to take all the pills and liquids at once. The result was very apparent: he had to be carried into the cabin, and recline upon a sofa during the whole interview. He thanked the doctor for his treatment, and trusted that the cure would be as certain as the remedy was violent."

We had marked many other passages for extract, but our readers must refer for themselves to the volumes before us, if they would learn how vessels with paddle-wheels were made by the Chinese to imitate steamboats; how a Chinaman sometimes uses his tail for flogging his pig and dusting his table;

* A late mail from India has brought intelligence of the death of Elipoo, at a very advanced age. He appears to have been the most enlightened as well as the most upright of the Imperial Commissioners, and we have much pleasure in transferring to our pages a noble trait in his character recorded of him by a correspondent of the 'Times.'

"It will be remembered that, after our first capture of the island of Chusan, several victims to the system of kidnapping then resorted to by the Chinese, amongst whom was Captain Anstruther, of the Madras Artillery, as well as the officers and crew of the armed brig 'Kite,' wrecked on the coast, fell into the custody of Elipoo, then the Governor of the city of Ningpo. Whether the cruelties of the earlier portion of their imprisonment resulted from exaggerated fears of the strength and daring of the foreigners, or were in obedience to direct orders from superior authority, it would seem, from the behaviour of the Governor himself towards them, that they originated not with him, and with the view of removing fears of their future fate, he pledged his word to the whole party, through the officers, that while in his hands their lives should be held safe.

"On news of the successes by us in the Canton river in the commencement of the year 1841 reaching Pekin, the Emperor became so exasperated as to send to the Governor of Ningpo a peremptory order for the execution of all his prisoners. But Elipoo remembered, and nobly redeemed his pledge, and, with the full knowledge of the penalty his disobedience was incurring, instead of murdering, he summarily released the whole of his captives, placing himself thereby in their stead. He was at once made over to the Board of Punishment, was deprived alike of all public honours and private estate, and himself and his whole family sentenced to ignominious execution; a consummation only stopped by the treaty with Commissioner Keshen, which the above successes gave rise to. In the subsequent troubles, the high character and estimation of Elipoo again procured for him high and responsible employment, but without removing from him many of the consequences of his disgrace. Though a firm and steady advocate of the superior advantages of peace, he zealously performed his share in the duties of the war; but when success upon success on our part gradually forced upon the Emperor himself similar convictions, and peace for the empire became necessary, he found himself selected one of the Imperial Commissioners for the arduous, though welcome duty, of opening those negotiations which so happily terminated; and when these had so far advanced as that complimentary visits were exchanged between the respective authorities, an urgent request was sent by Elipoo to his quondam prisoner, Captain Anstruther, that he might have the pleasure of seeing him, and at the interview which consequently took place, before hundreds of officers, he clearly evidenced to all how cordially he felt the pleasure of a meeting under circumstances so far happier to both than those of their former one at Ningpo."—*Times*, June 20, 1843.

how 'beggars in Macao are privileged to use a rattle and annoy the shopkeepers by their din till they gladly give money to get rid of the nuisance; and, more curious than all, how *Punch* itinerates and exhibits in the cities of China, and is there as universal a favourite as in London.

We must not, however, conclude without noting, for the satisfaction of English wives and maidens, that the 'Rambles of the Emperor Ching Tih' afford conclusive evidence that the Eastern privilege of polygamy is by no means the unalloyed blessing which some European husbands have supposed. It appears on the whole best to be content with one wife, for if a second be taken while the first is living, whether in China or England, one or the other is sure to be in the way. In illustration of this fact, a story is told in the Chinese novel of Tō Gaou, who, leaving his first wife, Wang, in the country, goes to Peking, where he obtains promotion and marries one of the ladies of the Court—Mrs Wang hearing nothing from her husband for many months, naturally adopts the resolution of following him to town, where her arrival is as unwelcome as unexpected. Having found out the home of her husband, she sends in her name by the porter.

"But Gaou was so terrified at the news, that his soul departed to the nine regions of the clouds, leaving his body without its lord. He managed, however, to order the porter to go out and tell the woman to wait; and when the man was gone he began to think what he should do. He was very sorrowful and anxious, reasoning in his heart that if he received her into the house, the young lady, his new wife, would ill brook such a thing; and then, if he did not call her in, Wang would probably get into a passion outside, and make him lose his character. He had got into a position where it was difficult either to recede or advance, and was in the greatest consternation."

In this dilemma he consults a friend, who gives the following advice:—

"For you to meet Wang and receive her into the house, is a small matter; but should your father-in-law discover the truth and report it to the emperor, you would be held guilty of deceiving his majesty, and get involved in trouble. In my humble opinion your best plan will be to pretend that this is your sister-in-law, come to ask about you, and without letting any one know it, receive her into a retired apartment; you can there arrange a feast, and talk with her about the feelings natural to your separation, and urge her kindly to drink till she becomes intoxicated; after that you can conduct her to a private room, and at the third watch have her put to death. Your new wife can be told that it was your sister-in-law, but that you had given her money and sent her away."

Oh the villain! We are gratified, however, in being able to state that, although the advice was adopted, it failed in effect, owing to the discovery of the plot by a maid servant. Mrs Wang happily escaped, and took refuge with her brother-in-law, Yung, who, in an interview with her husband, thus upbraids him :—

“ Who could have conceived that you would perpetrate such actions and utter such words as you have done this day? With the face of a man you have the heart of a beast. My sister-in-law, Wang, is your true married wife, and lived in comfort with you several years. When she saw that glory had fallen to your lot, she simply concluded that the wife should, as before, cleave to her husband; but you had already yielded to your wicked heart and married another. I shall let that pass, however; but when she arrived at the capital in quest of you, you ought to have accommodated your conduct to your circumstances, and to have let the new and the old dwell together—thus doing your duty to both parties; and if such a proceeding was quite impossible, you might have given Wang some money and requested her to return home. She is a worthy and virtuous woman, and would certainly have complied with your wishes; and afterwards, under pretext of visiting your parents’ tombs, you might have contrived to come and spend some days every year with her: and had you acted in this way she would not have been indignant at you.”

We fear this could not be said, with truth, of an English wife. Patient submission is evidently a virtue in which Chinese ladies excel. To submit, however, quietly to be put to death, was certainly not in the marriage bond, and Mrs Wang must stand acquitted, on all hands, of any proper want of duty in refusing her consent to so strong a measure.

In the concluding part of the second volume there is a story of magic, which is worth consulting as an indication of the popular superstitions of the country. We read of the ‘souls of wronged women,’ ‘ghosts which console mourning families,’ and other phantoms being invoked, with powers to terrify but not to wound, all belonging to a class of ideas respecting an invisible state which have prevailed in every age, and have but one common foundation. But here we must break off: Tkin Shen will, we hope, give us a further opportunity of improving our acquaintance with his countrymen and their standard literature.

ART. VIII.—*Lauerness House*. By Gertrude Toussaint.
Second Edition. Amsterdam.

CONTINENTAL travellers have often remarked that the Dutch are admirable linguists. It is rare to meet a Dutchman belonging to a rank in life corresponding with that of our educated middle class who does not speak several languages besides his own. The reason is, that no one but a native of Holland will give himself the trouble to learn Dutch; and as the commercial habits of the people bring them into daily communication with their neighbours, something of French, German, and English is mechanically acquired; while every boy in a Dutch school, intended for a merchant's counting-house, is systematically instructed in those languages as essential branches of education.

In all the towns of Holland English is familiar to a large section of their population; but we are very far from returning the compliment. The columns of the 'Times' never contain an advertisement of a school professing to teach 'Dutch,' besides "reading, writing, arithmetic, and the use of the globes;" and there are, probably, in this country, fifty persons sufficiently skilled in the dialects of antiquity to read their Testament in its original Greek, for any one scholar or professor able to converse with the inhabitants of a city within twenty hours' sail of London bridge, in their native tongue. The consequence of this is, that while English literature is familiar to the reading public of Holland, of modern Dutch literature the reading public of England know absolutely nothing. Indeed, we appear to be in a fair way of shortly becoming much better acquainted with the editors and contributors to the 'Pekin Gazette' than with the popular authors of a people at our own doors. We seem to have quietly assumed that Holland is excellent only for butter and cheese; but we beg leave to assure our readers that books also are among its indigenous productions—books too of classical and scientific merit; and (although some may want faith), lighter works of fiction, competing in popularity (at the Hague) with 'Zanoni' and the 'Last of the Barons.' Of this, perhaps, the latest evidence is the novel of 'Lauerness House,' by Gertrude Toussaint, of whom it is but due to the reputation she has acquired in her own country that we should give some account.

Gertrude Toussaint, although the name would imply a French extraction, is a Dutch lady, still in the prime of youth, but of frail and delicate constitution, injured by too much application to study. She is the daughter of an apothecary—was born at Alkmaar, in North Holland, and at the date of our last advices

was about to be married to Professor Bakhuizen van den Brink, a doctor of classic literature.

Her first works were 'The Earl of Devonshire,' a romantic episode of Elizabeth Tudor's youth, and 'The English at Rome.' Both works exhibit great talent, but her last novel, 'Lauerness House,' of which a second edition has already appeared, is considered her *chef d'œuvre*. We shall attempt the translation of an extract from this work, as a specimen of her style and power of writing, but we fear our feeble version may expose us to the reproaches of our Haarlem friends that we have not done justice to the original.

'Lauerness House' may be called a religious novel. The scene is laid at the Reformation—the subject is the conflict of principle between Roman Catholic and Protestant, and the interest is given by throwing the hero and heroine into circumstances which lead them to embrace different sides in the all-absorbing controversy of that period. But an extract from the work, which we take from the eighth chapter, will best tell its story.

We are introduced to Ottelyne, the heroine of the tale, sitting in one of the recesses of a Gothic window, and reading, or appearing to read. But the book in her hand has but little power to fix her attention.

"For indeed the heart of the betrothed was with him to whom its faith had been plighted. The gift she had sent, and the letters which accompanied it, ought now to be in his hands. And how would he receive them? what would Reiniersz think of the hints contained in those letters, sent to prepare him for the discovery which must come at last, and for a confession, the very thought of which gave her pain, because it had been withheld so long. It made her unhappy to reflect that she had been wanting in candour. Had she confessed before, her embarrassment would now have been over—she would have spared herself many self-reproaches, and avoided the displeasure which her lover would have a right to express. She had lowered herself in his esteem; he could tax her with duplicity, and might doubt her habitual sincerity. She had to blush before him, and shed tears of repentance; but he would kiss them away and all would be well again.

"Simple Ottelyne, she imagined her Arnold as she wished him to be, and shut her eyes to the sterner features of his character—the rigid principles opposed to her own, the fear of which had first induced her to bury her thoughts in her own bosom. She forgot that she had proceeded now very far on a path in which she knew he would have condemned the very first step—that there was now more between them than the concealment of an indifferent

caprice; that she had raised between herself and him a high barrier; in fact, she forgot that while he had remained a Roman Catholic she had become a Protestant—or rather, when she thought of it she persuaded herself that the barrier was not so insurmountable as it appeared. How easily, as it seemed from the persuasive and irresistible influence of truth, had her change of faith been effected. Why should not Arnold, her grave, pious Arnold, as readily abandon the old opinions for the new? But her change of faith had been effected before her sentiments on religious subjects had become settled: she had given up no fixed prepossession, the strength of which she knew not; she believed that even if Arnold were as unwilling to renounce the creed in which he had been educated as she herself would be to go back to her former teachers, it could not offer any obstacle to their peace; both might think and act according to their separate convictions. The lovely one who had only taught herself to love, had yet to learn that the bright fire of religious zeal can also glow with another flame—that of religious hate.

“With these anxious subjects of reflection, her mind could not be wholly engaged by ‘Luther’s Sermon on the Babylonian Imprisonment of the Church,’ and the book fell from her hand as she suddenly heard the clattering sound of horse’s hoofs in the open square. The cry instantly escaped her, ‘that must be he! it is Arnold!’ She rose from her seat, and her finely-arched forehead was pressed eagerly against the panes of the window in the direction of the sound. It was no vain presentiment: however unexpected the arrival of her lover at that moment. The horseman who threw himself so violently from his steel, who so hurriedly gave his bridle to the groom in attendance, who with such impetuosity rushed into the house, was indeed Arnold, to whom love seemed to have lent wings. The short distance between them was yet too great—she would haste to meet him on the threshold; but almost before the purpose was formed the door of her apartment is burst open—Arnold is in her presence. Trembling with joy and blushing in the delight of her surprise, she is about to throw herself on his breast—but a cold and forbidding gesture repels her. Arnold has retreated a few paces; his look is fixed and threatening; his forehead glows, his eye is on fire; his hair, his clothes, are in wild disorder; his voice hoarse and almost inarticulate with emotion. ‘First hear me, lady,’ he exclaimed; ‘I have a word to exchange with you, and of grave and serious import!’

“Never was there a more terrible revulsion from hope and joy to anguish and despair than it was now the bitter lot of Ottelyne to experience. To be thus repulsed—to find him in whose affection she had trusted thus cold and changed! How describe the bewildering, the stunning effect produced by so painful, so unexpected a shock. For a moment consciousness almost left her; a vague sensation only remained of something terrible which had happened, or was about to happen. She would have fallen; but before her

recollection had returned Arnold had assisted her to a seat, and placed himself before her, his arms folded, regarding her with an expression of sternness and yet of pity. He attempted to address her in a tone of greater calmness, but his limbs shook, his voice faltered. It was evident that he suffered intensely; and though inspiring fear he was yet an object of sympathy.

"I have been told . . . Father Lucian it was . . . (would it were false) the Lutheran! . . . Paul! . . . the man from Wittenberg, was not only received into your house according to the laws of hospitality, but that you had also admitted him to your friendship, given him your confidence, consulting him on the interests of your soul, listening to his artful words, and even acting upon his advice in matters affecting your eternal destiny. Is this true, Ottelyne?"

"The question accounted for his conduct, but came as a cruel stroke to Ottelyne. And now what words could she find to appease the anger of a lover who had assumed the character of her spiritual judge. For this she was not prepared. Her intention had been to be the first to introduce the subject; but at her own time and in her own way—when the opportunity might be favourable to insinuate the truth rather than boldly avow it. Thus categorically rebuffed, she was at once stripped of every defensive weapon. There were no means, or none that occurred to her, to soften the fact to the apprehension of her lover by explanation or apology. She felt only that evasion, even if justifiable, was impossible: and timidly, and with downcast eyes, she answered, 'Arnold, it is.'

"He received the reply as if a dagger had gone through his heart. Recovering himself, he put another question, with still paler lips than before. 'Is it further true that, forgetting and despising the precepts of the church, you held communion, and do still, with the banished heretic, reading with him out of prohibited books, in spite of the solicitations and remonstrances of your proper spiritual guardian? That you have avowed yourself his patroness and associate, giving him the use of your own private chapel, consecrated to the Holy Virgin, that he might preach from its pulpit the doctrines of Luther, and thus forcing Father Lucian, who failed in his attempt to withdraw you from the influence of this apostate, to leave you, as beseems a pious christian and obedient minister of the church, shunning your roof? Speak, Ottelyne—is this true also?'

"And she replied again, 'Arnold, it is.'

"Another sentence she could not have uttered. The forced calm of Arnold's manner, while torn by strong and terrible emotions, and the solemn emphasis laid upon every word, were indications of a fixed resolution not to be mistaken, the thought of which benumbed her faculties. Her first conscious impulse was to throw herself at his feet, and beg forgiveness that his cruel purpose of a separation might be defeated; but a quick gesture seemed to anticipate her object, and forbid it; and she sat silent and without motion, as if fixed to her seat by a charm.

“ ‘Horrible and damnable are those errors, Ottelyne,’ he proceeded; ‘but the time of reproach is gone already. I hope, and may God and his saints grant it be so, that in you they are only errors, and not deliberate sins. Answer me, therefore, again; and do not speak without reflection as you have now done, when your tongue had only to decide between uttering truth or falsehood; speak as if you felt that upon your answer depended the happiness of both of us in this world, and your eternal welfare. For, in truth, Ottelyne, it will be so.’

“Ottelyne now felt her courage revive. The appeal had given her strength for the struggle. There is an inspiration in earnest convictions, in true faith, to sustain the feeblest in the hour of severest trial. She knew that the moment was decisive; but rising from her seat and drawing herself to her full height, she replied, with a voice distinct though trembling, ‘Arnold, your words are hard and bitter; but put your question in any form you please, and I will answer it; for if it be what I suppose, I have chosen my part—and may God help us both!’

“ ‘Well then, Ottelyne, I ask you solemnly, as you hope for salvation, will you renounce these doctrines, confess that you have been ensnared, and return with repentance and humility into the bosom of the church, that, after due penitence, your immortal soul may yet be saved? Will you do this, Ottelyne,—will you?’

“The heart must have been callous that would not have been struck with compassion by the intense anxiety of the speaker. His strong frame shook with emotion, but his eye yet beamed with hope as it watched eagerly the unclosing of those lips which were to resolve a doubt becoming too terrible for endurance. But it was no longer Ottelyne that he addressed—no longer the timid, loving woman. As his betrothed, she would have healed his sufferings at any sacrifice, but a sublimer feeling had been aroused. Though her lover, the world, and all earthly happiness must be renounced for the sake of religion, the voice of God must be obeyed. Quickly, therefore, and with enthusiasm, she answered—‘No! Arnold, I cannot. By the faith upon which I build my hopes of eternal felicity—by the all-sufficient atoning death of our Saviour, I will not. I know what I have chosen, and the choice I have made is one I shall never repent of, for the Holy Scriptures have been my guide. Again therefore I say, no, Arnold! I cannot. But hear me, and—’

“He interrupted her, but with a tone and gesture of despair;—‘You have decided, Ottelyne—decided. Ottelyne,—it is frightful,—to be accursed. From this moment we are separated.’

“He threw at her feet the ring she had given him—the pledge of her constancy, and, reeling giddily, rushed out of the room.

“Though Ottelyne had foreseen the result, when she pronounced her resolution, the terrible reality came in a shape so overwhelming that it seemed to annihilate her. She would have arrested him by saying again, although she could scarcely summon the power to do so, ‘yet hear me.’ Arnold did not hear; but he had

not left the house:—ere he had crossed the threshold his anguish found vent in a loud and passionate sobbing. ‘Oh, God!’ he exclaimed, ‘I cannot leave her thus:’ and in a moment he had returned and pressed her to his breast with unutterable fondness; the next, Ottelyne felt his grasp relax, and heard a voice choking with emotion, as one who gasped for air, exclaim, ‘God bless you, Ottelyne! and farewell.’

Arnold was gone. Ottelyne remained as if she had been suddenly seized with a stroke of paralysis. She would have called him back, but her lips were parched, her tongue refused its office. She would have followed him, but had sank back into her chair, and could not rise. There she sat, as one under the influence of a hideous dream, from which it seemed impossible to awake. But morning would come at last, and the spectral image disappear. •

“The miserable Arnold now sought only to escape from the scene of his former happiness. With the desperate speed of one who might have imagined himself followed by Satan the destroyer, he would have hurried from the house, but ere he had yet passed the outer corridor, a door opened, and his flight was intercepted by his sister. Seizing her by the hand, he would have dragged her with him. ‘Come away!’ he exclaimed;—‘this is no place for you. Hence, hence! here the very soil burns beneath our feet; here dwell heresy and perdition; here hearts and souls are murdered.’

“‘Arnold, what is this?’ said she, stopping him, and withdrawing her hand. ‘Have you suddenly lost your senses? What is it your words imply? Do they mean that you fly from Ottelyne—she who loves you and whom you love? What, have you broken the tie which bound you to your betrothed, and with it perhaps her heart? And, Arnold, have you thought of your own? Do you know the grief, the wretchedness of hopeless love? And is all this but a sacrifice to the papacy to which you kneel?—to priests who will secretly laugh at your misery and make a jest of your zeal? Think you that they will save your soul from perdition? Men who will shrug up their shoulders and call you a fool for acting as their obedient puppet, and believing their interested denunciations. No, Arnold, it is not true piety that would sever the bonds of affection.’ And so saying, she sought to lead him back to the room he had so abruptly quitted, but in vain. He replied vehemently, ‘Jane! it is useless. Unless you too would be lost—lost for ever; come away; here the very air is tainted with heresy.’

“‘Arnold, I go not with you; here my place is, and here I remain, whatever may be your opinions of the new faith. You call it heresy. By the sacred name of our Redeemer, the real heresy is that which yields implicit obedience not to Christ, but to the man Leo the Tenth. It is his followers who are the blind victims of credulity and imposture. Thanks to God and to Luther that our eyes have been opened—mine, Arnold, among the rest.’

“‘Holy Saviour! that I could forget! And you, too!’ cried Arnold, giving vent to another burst of the most violent grief.

‘Botli—both! the dearest of my connexions, the nearest to me by blood and soul. How could I forget that you and Ottelyne were companions.’ Unfortunate woman, speak; were you the seducer or the seduced—the betrayer or the betrayed?’

“As he followed her, questioning, a third figure slowly entered the corridor. It was Paul.

“‘He here!’ exclaimed Arnold, with fury in his eyes; and pointing to Paul, ‘need I ask who was the seducer? Wretch, you deserve death!’ And, with fierce and threatening gesture, Arnold advanced to meet the Reformer. His sister threw herself between them. ‘First kill me,’ she cried, ‘ere you touch that holy man, or injure a hair of his head. What, would you, in your madness, to take his life throw away your own, and die the deserved death of the assassin?’

“‘Fear not,’ said Arnold, ‘that I would prematurely interfere with the province of the executioner, and of Beelzebub; both will claim him.’

“‘I am in the hands of God,’ meekly replied Paul, ‘so are we all; but, while condemning others, has the question never crossed your mind whether you are yourself in the appointed path which leadeth unto life?’

“‘Account to me for the soul of this lost one,’ replied Arnold, listening only to his own passion.

“‘Demand not the account of him,’ hastily interrupted his sister, ‘it was not he who first made me acquainted with God’s word. Long ago I had discovered where to seek for consolation and hope; and you, Arnold, will yet be led to find them; I have never doubted that even you one day will acknowledge the truth. Come with me, and when this heat is passed we will reason together. Are we not bidden to prove all things, and hold fast only that which is right?’

“‘Leave me, wretched woman.’

“‘No, I will lead you back to her whom you have foolishly left, whom you have wronged—restore you to happiness, to life.’

“‘Never! Think you it is caprice, and no higher impulse—no voice that I dare not disregard, that has driven me from Ottelyne? Never, never can I return.’

“‘Arnold, for heaven’s sake consider what you are doing. On me will lie the guilt of this separation. I it was who first led her to adopt the opinion she now professes; without me she would not have gone so far in the path we have both followed.’ And thus expostulating with her brother, Jane sought to soften his angry mood, and make him yield to her entreaties; but without avail—his passion seemed only to rise to a higher pitch. ‘Jane, why have you done this?’ he exclaimed. ‘Accursed was the deed.’ And he pushed her roughly from him.

“‘Alas!’ said Paul, sighing deeply as he spoke, ‘would that there were less of strife and bitterness in the name and for the sake of religion.’

“ ‘And can *you* say that?’ rejoined Arnold; you who ‘have brought discord and misery into the abode of peace?’ ”

“ ‘With my life I would have purchased your happiness—yours and hers,’ replied the German, gravely, ‘could I have done it; but heaven, that is my witness, willed it otherwise.’ ”

“ ‘I believe it,’ said Arnold, touched in spite of himself by the tone of Paul and his manner of sincerity. ‘I believe it; you are but the instrument of others;’ and then turning to the wall and shaking his clenched fist, with bitterness he exclaimed, ‘Luther, Luther! it is you who must answer for this!’ ”

It would be foreign to our object to analyse the plot with a view of giving an idea of the further incidents of the tale; they may be left to the reader’s imagination, and as the above extract will suffice to show the nature of the work, we may here take our leave of a writer of whom her own countrymen are not a little proud, although her reputation has scarcely reached us across the channel.

The success of this novel may, perhaps, in part be attributed to the hereditary feud between Catholic and Protestant, which still exists in the Netherlands, and was indirectly, in 1830, the cause of the separation of Belgium from Holland. In England, the same old leaven continues to work, and perhaps to a much greater extent than in any part of the Continent. Protestant ascendancy is at the bottom of the Repeal agitation, and modern Catholicism, in the shape of Puseyism, distracts the bosom of Church. In the midst of the present widely-diffused excitement on religious subjects a good translation of the last novel of Gertrude Toussaint would probably repay the publisher and be read with interest.

ART. IX.—Report from the Select Committee on Improvement of the Health of Towns, together with the Minutes of Evidence, Appendix, and Index.

(Ordered by the House of Commons to be printed, June 14, 1842.)

THE tyrants of antiquity were accustomed to despatch a criminal by binding the doomed wretch to a corpse: leaving the exhalations from the dead man to kill the living. While we shudder in contemplating this refinement in the philosophy of cruelty, we perhaps congratulate ourselves that in these days such things cannot be; but a little observation will convince us that the same ancient mode of extermination

still flourishes, and to an infinitely greater extent than in former times, though in a modified form. Our modern law, associated with religion, permits the continuous application, to thousands and hundreds of thousands of our population, of the same revolting principle of death which formerly was concentrated upon a few miserable individuals; and this, with the concurrence of parliament and the clergy, throughout all the towns and cities of the United Kingdom. Cathedrals, parish churches, church yards, burial yards, and all kinds of grounds, consecrated and unconsecrated, have been for centuries permitted to be used as receptacles of the dead, in the midst of our places of habitation, until at length earth and walls have become so saturated with putrefaction, that, turn where we may, the air we breathe is cadaverous, and a man often *feels* that sublimated particles, perhaps of his next door neighbour or nearest relative, enter his lungs at every respiration. Thus, in truth (though in a different sense from that of the Apostle), in the midst of life we are in death.

Setting aside the question of what must be the influence on the mind from a consideration of such sickening facts, the effect of this general state of atmospheric infection upon the public health must be evident. It is physically indubitable, and those upon whose senses the truth has not yet forced itself, may soon trace its course by physical demonstration. Many of our most popular diseases are referable to this source. Medical and scientific men have often denounced it, and given warning; but the impression upon society has been of a vague startling character, here and there giving rise to the formation of a suburban cemetery, which was, not unnaturally, recognised as a speculation, undertaken with the motives common to all joint-stock projects, rather than as an attempt to diminish or counteract an evil of which the shareholders had any serious alarms, notwithstanding all that their prospectuses might affirm on that head. While those who could comprehend the dreadful extent, and the actual and impending consequences of the system, have stated their view, local individuals who could understand, but would not act, have shaken their heads, and then dying, have been buried respectably, *more majorem*, perhaps under their own drawing-room windows.

It is strange that the practical people of Great Britain should be amongst the last to retain this disgraceful and dangerous relic of Christian barbarism. Burial in towns has been long forbidden in France. It is upwards of twenty years since the clergy of Spain concurred with the Cortes in abolishing the practice. In many parts of Italy, in Switzerland, Denmark,

Germany, and other nations of Europe, which we are apt to look upon as vastly behind ourselves in the march of intellect, burial in towns has been abolished by law. Why, then, does the system continue to prevail amongst us? Because, no doubt, the public mind has not been sufficiently aroused to a contemplation of its indecencies, horrors, and dangers; and there is no hope of suppressing this consecrated nuisance until a feeling of disgust, indignation, and resolution takes possession of all classes of society. This can only be produced by setting before their minds a picture, local and general, of their present dreadful position.

A few scientific men having impressed Parliament with the necessity of inquiring into the causes affecting the health of towns, a Committee was appointed, which commenced the investigation by taking evidence upon our burial system as a predominating evil. Their Report has since been presented to the House of Commons. The facts which have persuaded the Committee will doubtless influence the public. We esteem it, therefore, a duty, though not certainly a pleasing task, to subjoin a digest of the evidence, and so assist in hastening the general legislative movement that shall do away with one of the most disgraceful and perilous conditions of English society.

Since the Report was presented, we learn, from a conversation in the House, arising out of a question put to Sir James Graham by Lord Robert Grosvenor, that further evidence has been collected by Government on the subject, and that an additional report, embodying more carefully-considered suggestions than the former, is now lying in the office of the Home Secretary. If this be the fact, we would ask why the publication of the additional report is delayed? Sir James has declined supporting Mr Mackinnon's bill, founded upon the recommendations of the Committee: why should the public not be made acquainted with the recommendations which have influenced his judgment? It may be true that his mind is not yet wholly made up—that he cannot at present clearly see his way to a sound practical measure; but the greater, therefore, is the reason for making the new evidence and accompanying suggestions public, that the country at large might assist in the discussion. Waiting these (and it would seem, from the result of the present session, that on all questions of practical improvement we must be content to wait, possessing our souls in patience), we confine ourselves to an analysis of the report of Mr Mackinnon's Committee, the statements of which, as will be seen, are sufficiently startling to demand the most serious attention of every class in the community.

The first witness examined was Mr Henry Heldson, a collecting clerk to Mr James Bingon Cooper, ironfounder, Drury lane. Mr Heldson has acted as assistant-minister of the Baptist persuasion at the City-road ground, called Bunhill fields, but chiefly at the New Bunhill fields, in the same district, the space being almost exhausted, in the former, by two hundred years' sepulture, and also rendered unpopular by increased fees.

"How were the graves generally made?—The plan on which the grave was opened was quite in accordance with that generally observed or adopted throughout London; that is, the opening, what is called a public grave, thirty feet deep, perhaps; the first corpse interred was succeeded by another, and up to sixteen or eighteen, and all the openings between the coffin boards were filled up with smaller coffins of children. When this grave was crammed as full as it could be, so that the topmost coffin was within two feet of the surface, that was banked up, and that piece of ground was considered as occupied.

"The largest number of burials I have ever attended on one day was during the raging epidemic called the influenza, I think, in 1837. On one Sunday afternoon I buried twenty-one persons myself; that was in Holywell Mount ground, situated about a quarter of a mile distant, in the Curtain road."

Sometimes this dead hole is left open a fortnight, or covered only with planks, before it is full;* it is then covered over with earth, to be opened again in rotation at the end of a year. Speaking of the 'sequel' in New Bunhill fields, Mr Heldson observes:—

"After the first year had passed away, for I officiated in that ground about four years during the heat of the summer, when those graves were re-opened on the Sunday afternoon, when most of the funerals take place, in consequence of their being chiefly among the Irish and the lower classes of society, by reason of their burying rather cheaper than at other grounds, they were exceedingly offensive; the swarms of some kind of black fly, which I am not able to explain the nature of, but I suppose generated in this house of corruption, were certainly so offensive, and the noisome stench arising from those deep graves was very unpleasant, so that it was difficult in the heat of the summer for any man of sensibility to discharge the duties necessarily devolving upon him.

"I have known a grave-digger obliged to be drawn out of those very deep graves after being in half an hour or three quarters of an hour, in consequence of his being overpowered with the heat and the stench accumulated there, and more particularly in opening those graves where ten or twelve corpses had already been interred; and where they began to run, the stench was dreadful. Every subsequent summer this offensive effluvia increased, and even the sight of the coffins; for the fact is, that as the coffins lie one on another in succession from the bottom to the top, the next grave that is opened alongside of that, to make the very most of every inch of the

* As far as the writer's observation goes, this is the official mode of burying paupers. Mr Wakley lately complained in the House of Commons, that having occasion to hold an inquest on the body of a pauper buried at Hanwell, on proceeding to exhumate, the deceased was the fifteenth in downward succession. The effluvia arising from the removal of the overlying coffins was dreadful.

speculation of any proprietor of such ground; nay, I have been witness, from Sunday to Sunday, of my certain knowledge, of from sixteen to eighteen coffins being placed all in succession, rising one above another, and the horrible stench arising from those, and the swarms of flies and insects accumulated, it is horrible to conceive, and I have gone away sometimes so loathed and disgusted, as scarcely to be able to endure myself."

We are now in the very worst part of London. Mr John Irwin, house painter, says,—

"I live in Clement's lane, Clare market, overlooking Portugal-street burying-ground, belonging to the parish of Saint Clement Dances. Neither I nor any one of my family have been in good health since we came there, now three years since. The mortality of the neighbourhood has been very great; all the symptoms are generally those of typhus fever. I had a lodger of the name of Britt, a ruddy-complexioned man, who chose my house because it was a quiet place, but he became ill of fever almost immediately. His wife also caught it, as did Mr and Mrs Rosamond, who also lodged with me. Three out of the four went to the hospital; they all died. Rosamond died in the hospital, Britt in my house. Britt was buried within *ten feet of my wall*. The grave was opened, and a fortnight after there was another put atop of him; but previous to that the smell was so nauseous I could hardly contain myself; I was obliged to keep my window down. 'If this be the case,' said I to the grave digger, 'well may typhus fever rage in this neighbourhood. There is a *workhouse* on the right hand.'"

We now come to the worst. Mr Samuel Pitts, cabinet maker, residing at 14 Catherine street, Strand, says,—

"I used to attend as one of the Baptist congregation at Enon chapel, Clement's lane. The surface of the floor was fifty or sixty feet by forty. The cellar below was used as a burying place, the corpses having no covering but the coffins, and nothing separating the living congregation from the dead '*but the thin boards between the depositary and the chapel*, and there were openings between, owing to the shrinking of the boards.' The chapel and vault were owned by the late Rev. Mr Howse, who preached there. I attended from about 1828 for six or seven years. There have been on the whole about twelve thousand persons buried here; the depth is about six feet. I have heard, when it got too full, a great many have been removed to make way for others. I did hear, and it came through a woman who used to wash for Mrs Howse, living close by, *that they used to burn the coffins under the copper, and frequently in their own fireplace*. I do not know what became of the remains unless they were *shovelled all together*, which I believe to be the case. The fees were small, and were part of Mr Howse's emoluments. As many as nine or ten have been buried there one Sunday afternoon."—"While I attended the chapel," proceeds Mr Irwin, "the place was in a very filthy state; the smell was *abominable*, and very injurious; also there were some insects, something similar to a bug in shape and appearance, only with wings. I have seen in the summer hundreds of them flying about the chapel; I have taken them home in my hat, and my wife has taken them home in her clothes. We always considered that they proceeded from the dead bodies underneath."

Mr Howse must have been rather a powerful preacher to draw a congregation in such circumstances. He has now followed the majority of his congregation. There is no more

preaching there, and we believe the abomination of the burials below is given up through the interference of Sir James Graham. In the beginning of this year the chapel was converted into a Catholic school; but the facts were exposed in a petition to the House of Commons, and we believe the poor children are shown the way to the other world elsewhere.

"I believe," continues Mr Irwin, "the minister would not have had room for the twelve thousand bodies if he had not burned the coffins. The fee varied from 8s. to 15s., as the deceased was a child or an adult. I have frequently gone home from the chapel with a severe headache. It was a common thing to see some of the congregation removed in a fainting state. There was a sewer also running through the vault. I believe, when the wood of the coffins was taken away, the remains would in many cases fall into the sewer; but the commissioners compelled Mr Howse to build an arch over it."

Mr Moses Solomons, of Vinegar yard, Drury lane, gives us a clue to the plan which the proprietors adopted to keep room in that venerable, quiet-looking churchyard above-named. He says,—

"I have seen a grave digger take a coffin out, that coffin not being quite decayed, and take the body out; and he has taken the spade and *chopped the head from the body, so that he could take it out of the grave.* I have seen a great many coffins broken up; I suppose he puts them in the bone house, and the bones too. My impression is, that the coffins were taken away to be burnt."

Mr Burn had also been employed to remove rubbish from St Mary's in the Strand, and St Clement's. "They are more careful of the bones, but there is the same smell." There is another Baptist burying chapel near Lincoln's inn fields, behind Little Wild street, where the interments are more decent, but the smell is so bad that the people cannot bear it in the summer time.

The grave-diggers of London are a wonderful though little-known class of men; and see things dreadful and strange. To form a correct idea of them they must be allowed to describe themselves. John Eyles, a grave-digger in "that spot in Portugal street," is examined as follows:—

"What is the shallowest depth at which you have known a coffin placed?—Since I have been there they have had a tremendous deal of ground brought in when the college was being built, and they took it from one part of the ground and put it on another. There was a pauper buried out of the house which I remember quite well; nobody followed it; it was buried out of the bone house, what they call the dead house, and it was put down where the carpet ground was, and I believe, if the earth was at the same height then that it is now, it would be under a foot, but I will say a foot; I would rather say more than less.

"Have you ever, in passing over there, smelt any offensive smell?—I cannot say that I have ever noticed it particularly, but there must be a smell, because neither lead nor wood will keep the stench of the body in;

it will fly out of lead as well as out of wood ; a great many coffins are now made of mill lead.

" Has it affected you in health ?— It has a great deal ; I nearly at one time lost my life through it.

" How did it affect you ?— When I went down the grave I went down a little way, and it smelt as if it was brimstone or some sulphury stuff, and when I reached the bottom my sensation was taken away altogether, and I could hardly make my way up to the top ; and when I got to the top I dropped on the boards, and then I went home and got some shavings and an old bed tick, and burnt it down the grave to get the foul air out.

" How were you affected ; did it make you vomit ?— It did a great deal ; it was a trembling sensation over me, and a nasty coppery taste in my mouth.

" Did you lose your appetite ?— I did not lose my appetite, but in the afternoon I was again taken at the same grave ; I went down in the afternoon ; a child was buried, and the webbing that checked the coffin had turned the coffin over, and it was my duty to unfasten the webbing. When I reached the bottom I could not make anybody hear, and I grasped hold of the webbing, and they pulled me up ; and when I got out of the grave I walked to the side of the church, and there I lay for half an hour.

" What church was it ?— St Clement Dances, in the Strand.

" Have you seen coffins cut through ?— If you have orders for it you are compelled to do it ; if you are to dig a grave in a certain place, it is your duty to do it, and if not you are told directly, ' I will get somebody else to do it.'

" Then you have cut through coffins ?— I have.

" Have you ever cut up the lead of a coffin ?— Yes, I have once.

" By orders ?— By orders.

" What became of the lead ?— I do not know ; it was not in my time ; I went away soon after I cut it up.

" What did you do with the lead when it was cut ?— I left it there.

" What burial ground was that ?— In St Clement's church.

" Is it a matter of common occurrence to do so ?— I do not know ; but if I must speak my mind, I think there is a tremendous deal of lead taken away, both in the churchyard and in the vaults ; but I think it is a common thing for the old original coffins to be taken and chopped up ; and I think it to be nothing else but the duty of any gentleman that has got any authority, to go into every church vault, and to have the books brought forward to prove how many coffins there ought to be, and to make them account for how many coffins are missing. The lead I believe is a hundred and a half or two hundred in each coffin ; I should say there were about two hundred and a half, and it would fetch 1½d. a pound.

" What quantity of wood have you seen taken away, or do you know has been taken away from this churchyard ? How many wheelbarrows full in a week ?— I could not say, sometimes more, sometimes less, sometimes none ; it all depends upon the work ; sometimes we get as much out of one grave as you may out of six or seven others ; sometimes you may have a bag full in a week.

" What do you mean by a 'grave,' what depth do you mean ?— Five feet is the common depth for a grown person, and three feet for a child ; when it is five feet that leaves four feet from the surface of the earth, but I do not think four feet is enough to keep the effluvia out.

" You think the gas gets out of the ground at that distance ?— I am sure it does, because the gas will penetrate through anything ; it will penetrate through the strongest man ; if he happen to hold his head over the

place where the gas is flying it will make him ill ; and I think that people going by at the time when a grave is open must breathe some of the gas, as well as persons working in the grave, for when the gas is out you can smell it quite strong up above.

"How far from the grave will the smell of the gas extend?—It depends upon the wind.

"Supposing the wind is blowing towards you, how far will it take it?—If the corpse is about five or six feet below the ground you may smell it six or seven yards from you, but you do not smell it if you are standing by the side and continually in it.

"The vaults in St Clement Dances are close to the street?—Yes, the gas escapes from the vaults into the church through a grating cullett, and many persons who go to the church on Sunday, when they come home are taken ill and are dead soon afterwards, through the gas in the church ; I do not think the lead is of any use to keep the gas in.

"You would not like to go to a leaden coffin and tap it?—Yes, I should not object to it ; if you keep underneath the coffin, you would not have so much of the gas then ; if you keep underneath, the gas flies up ; if you tap it underneath, if there is any dead water, or any 'soup,' as it is called, it runs into a pail, and then it is taken and thrown into some place or another, perhaps down a gullyhole. I have been, before now, compelled to put my clothes out of the window, because the stench has been so great that they could not bear the place.

"Has it ever occurred to you to go into a public house, and to find the smell of your clothes offensive to people there?—Yes, many a time ; when I have been doing rather dirty work, when I have come in, I have noticed the people smell and get away on the other side of the place ; there is sure to be plenty of room when we come in ; they are sure to say, 'These chaps have been emptying some cesspool.'

"Is the smell of these graves more offensive than that of a common cesspool?—I emptied a cesspool, and the smell of it was rose water compared with the smell of these graves.

"Has it ever happened, to your knowledge, that the men have declined digging through the coffins, and that they have been induced to do so by the sexton?—Yes ; that is the word : 'If you do not like to do it, I will get somebody else.'

"You, or some of the men, have felt a repugnance to cutting through coffins?—It is not a pleasant thing to chop away when it is not fit to chop away ; when the body is decayed it does not matter taking that away.

"And you have found yourself, and other workmen with you, obliged to cut through, whether you liked it or not?—If you are paid for doing it you must do it, whether you like it or no ; if you do not like it you must go.

"Is your father interred there?—Yes, he is : I did not want him to be buried there.

"Did anything occur to his remains?—I saw them chopping the head of his coffin away ; I should not have known it if I had not seen the head with the teeth ; I knew him by his teeth ; one tooth was knocked out and the other was splintered ; I knew it was my father's head, and I told them to stop, and they laughed ; and I would not let them go any further, and they had to cover it over. It is time that something was done to stop it ; and there is a slaughter-house close by, in St Clement's lane, which is enough to breed any fever."

"Have you ever hesitated, when ordered to dig a grave, in cutting down through coffins?—Yes ; I have said, 'There is not room to put down ;' but it is said, 'You must make room : ' but the sexton will not stop over the grave while that is being done ; our sexton I know is fonder of pastry

than standing over the top of a grave; he goes and has a shilling's worth of pastry while it is being done.

"Then, when the sexton orders you to dig a grave, he goes away himself?—Yes, and leaves you to do the rest.

"Do you know anything of the burial-ground under the windows of the almshouse in St Clement Danes?—I know that the bodies ought to be removed from there; it is not fit for anybody to live in the adjoining houses; I could go there and take a carving knife, and almost take some of the lids off. They are in a deal box half-an-inch thick; there is a great heap, and if that heap was taken away within nine inches from the top of the earth, you would have to take half of the sides of some of the coffins away.

"Do you know anything about the health of the people in the neighbourhood?—Some are ill; some are better than others. I do not know how the people in the almshouses feel. If it was a hot summer you would see the ground smoke, the same as if there was boiling water put over it.

"Have you seen that yourself?—I have not noticed it particularly myself, but I know those that have, and if you take the ground up in your hands it is the same as taking ink into your hands.

"The ground is so saturated with the remains of dead bodies?—Yes, it is.

"Is this in Portugal street?—No, it is in St Clement Danes: it is what they call the pauper ground, where the people that are buried by the workhouse are put.

"Have you ever observed anything of the same kind in the burial-ground in Portugal street?—Yes, I have seen the ground smoke and reek on a summer's morning; about five o'clock you will see it smoke the same as if there had been hot water poured down.

"Is a grave ever left open at night?—If you are going to dig a deep grave, you cannot do it all in one day; perhaps you may be four or five days over it, and then it is left open: sometimes we put a tarpauling over it.

"Then the smell must come up?—It does."

Michael Pye, a brother-practitioner, being asked whether his health was ever affected by his trade, answers—

"I have. I have been taken with sickness and spitting, and with a nasty taste in my mouth. In one grave in particular I struck a coffin accidentally with a pickaxe. As soon as I struck it it came out the same as a froth from a barrel of beer and threw me backwards, and I was obliged to stand some minutes before I could recover."

Speaking of the doings at St Clement Danes' church, he says—

"To my knowledge the coffins are cut up in the vaults and removed. In one case that I can speak to, the sexton, Mr Fitch, told me to select two coffins out, which I brought him out into the middle of the vault; and after they were brought out there another man was sent for and I was sent out of the way. I suppose that I was not trusted to perform this duty; another man cut them up. But I thought it a curious thing that I should be sent away, being the regular man there at the time, and I crossed over to the Fore-gate, that is, the pillars opposite the church, and I stood there some considerable time, and about five o'clock in the afternoon I saw a stonemason's truck come down Clement's lane and go inside the church, and the lead was loaded on the truck, and two men drew the lead away of those two coffins that I had selected out, and some lots of lead and copper remaining in a large chest at the bottom of the vault went away

at the same time on the truck. They went down Fleet street, through Temple bar.

"*Mr Vernon.* When the lead was taken away, do you know what became of the wooden coffins and the bodies?—The remains were put into a basket, and next morning there was a hole dug on the south side of the churchyard, and the body was put down there without anything on it.

"*Chairman.* Is it the common practice to break up the wooden coffins?—Yes, it is the common practice of late; because the ground has been so full, that in fact you cannot get a grave without doing it.

"If you come to a coffin lately put in, how do you cut through it?—If we come to one that is very fresh we can tell by a searcher; but frequently we come to one that feels very soft with the searcher, but when we get on it the coffin is full, and then we are compelled to cut through it to make way for the coffin that is coming.

"What do you do with the remains?—The remains are put down at the bottom of the grave, and the coffin that is coming is put on it.

"The remains are put at the bottom without any coffin?—Yes; there is just a small piece of ground put over it to hide it.

Bartholomew Lyons, grave-digger of St Anne's, Soho.

"How do you manage, when you descend one of these deep graves, to avoid what you have stated affects you so much?—First we put down a long ladder, twenty feet six inches long, and I go down first myself; I go down as far as I can to see if I feel anything of the effect of the foul air; and if I go down and feel it coming, and I have got a funeral to bury, I burn it out, so that I can go down.

"What do you mean by burning it out?—We have got something similar to a plumber's stove, what the plumbers have in the street, and I make that full of shavings and wood, and make a strong fire, and gradually lower it down into the grave by degrees till the foul air catches hold. The foul air, when it is strong, will put it out, and I pull it up again till I get it a-light again, and so I go on till I get it under, and when I get it under, I chuck a lot of shavings in and set fire to it, and there let it burn till it burns out, and then I go down myself and get the earth out as quick as possible.

"Do you usually find this gas and foul air coming to you from other coffins on each side of you?—At times, very soon after I have burnt it out, I shall have to burn it out again.

"And if you were to stay there, what would be the effect?—It would kill me, or any one else."

Here is an incident that equals anything in Euripides.

"In digging this depth and taking away the wood of these coffins, has it ever occurred to you that any bodies have fallen upon you?—I never had one in a deep grave, but I had one once; before I was there a man of the name of Fox had the ground; I succeeded him; he is now dead; he was a bad character; he is dead about three weeks. I dug a grave on a Sunday evening on purpose to get ready for the Monday; that Sunday evening, and it rained, I was strange in the ground at that time; and when I went to work on Monday morning I finished my work, and I was trying the length of the grave to see if it was long enough and wide enough, so that I should not have to go down again, and while I was in there the ground gave way and a body turned right over, and the two arms came and clasped me round the neck; she had gloves on and stockings and white flannel inside, and what we call a shift, but no head.

"The body came tumbling upon you?—Yes, just as I was kneeling down; it was a very stout body, and the force that she came with knocked my head against a body underneath, and I was very much frightened at the time.

"You were at the bottom of the grave, and as you were digging at the bottom, the body of this woman without a head fell upon you?—Yes.

"From the side?—Yes, from the side.

"Out of the coffin?—It had never been in a coffin; it is supposed that they took the head off for the purpose of sale.

"How long had this body been interred?—Not long; because the clothes upon her appeared to be quite fresh.

"Do you believe that the lead of the coffins has been taken away?—I cannot say anything as to myself, as I never did anything of the sort myself; but the man that is dead has done most wonderful things in the vaults; he stripped the lead off the coffins in the vaults; he has been the biggest brute of any grave-digger in this earth, and he suffered for it at last; he died in the Strand Union Workhouse at last; he died actually rotten.

"What salary do you get?—Eighteen shillings a-week, and then of course there is a little what we call pickings-up, perquisites; may be 10s. a-week.

"Still you would give up the situation if you could get anything else?—If I could get anything with half the money; my wife has been making home-baked bread, and we now find that we have got enough, so that by persevering a little we shall be able to get our living, so that I am about to leave in a fortnight or so."

Mr George Whittaker, an intelligent undertaker, confirms much of the foregoing evidence generally. He says all the churchyards in the metropolis are in a very dreadful state, and that the gas which issues from a coffin is of the most deadly quality, while it is so powerful that it will raise all the lids of a treble coffin and burst them.

"I once," says he, "after many attempts, got some gas from a coffin in the vaults of St Clement Danes. I bored a hole through the lid of a coffin; I then held an India rubber bottle to the hole until it was quite full. This was from a coffin buried eight years. I tried some time after again, and I was nearly killed."

The gas that Whittaker obtained he took to Mr Walker, a neighbouring surgeon, who had requested him to procure it; but Mr Walker states that he was obliged, in consequence of the intolerable stench, to pass it through water, instead of through mercury, not having his process ready; he therefore lost a great deal of it, but it made its way through the house in two minutes, and actually forced some relatives who were in one of the highest floors to run out of doors. This gas differs from ordinary gases, there being animal matter suspended in it. The first bubble that passed through the water left a greasy pellicle on the surface; Mr Walker was very glad to get rid of it, but it made him so ill that he kept his bed for a week afterwards. The gas generates as soon as decomposition takes

place, and it will retain its virulence for a thousand years if confined; but no covering of earth, wood, iron, stone, or lead is a security against it.

So much for the details of churchyards and grave-digging in London. It is not too much to infer from this, that the practice of all resemble those which we have already described. Mr Walker, a medical practitioner in Drury lane, affirms that the emanations are poisonous to those living in the neighbourhood of the metropolitan churchyards.

"Most of those I am about to name I have personally examined; they are, the burying-ground in Portugal street; Enon chapel, Clement's lane; St Clement's church, Strand; and the vaults of *St Martin's in the fields*; Drury lane; Russell court, Drury lane; St Paul's, Covent garden; St Giles's burying-ground; Aldgate churchyard; Whitechapel church and vaults; St Mary's Catholic chapel, Moorfields; Spitalfields ground; Bethnal-green old ground; Stepney burial-ground; Mulberry chapel, St George's in the East, Ellinore Swedish Protestant church; St George's church, Cannon street East; Ebenezer chapel, Ratcliff highway; Sheen's ground; Shadwell churchyard and vaults; Trinity Episcopal chapel, Cannon-street road; the Mariners' church, Wellclose square; Bunhill fields, City road; St Luke's, Old street; Clerkenwell church, four burial-grounds and vaults; Spa fields; St James's burying-ground, Clerkenwell; St Ann's, Soho; Elim chapel, Fetter lane; St Saviour's church, Southwark; the Cross Bones, belonging to the same parish; All Saints, Poplar; St Andrew's, Holborn; St Anne's, Limehouse; Bermondsey; Christchurch, Surrey; *St George's, Hanover square*; *St George's, Middlesex*; St George's, Southwark; *St James's, Westminster*; St John's, Hackney; *St John's, Westminster*; St Leonard, Shoreditch; *St Luke's, Chelsea*; *St Margaret's, Westminster*; *Kensington*; Islington; Lambeth; Newington; Rotherhithe; Paddington; *Pancras*; and many others."

"*Mr Denison*. Will you state whether you have seen disease arising from that cause?—I have; but it is sufficient to state that the neighbourhood to which my attention has been especially directed is surrounded with graveyards; and that there are hundreds of tons weight of human bodies resting temporarily in the earth until displaced to make room for a succeeding tenant. Bodies, in many situations, are placed within six inches of the surface. Martin's ground, in the Borough, measures two hundred and ninety-five feet in width and three hundred and seventy-nine in length. If we multiply these together, we shall make 111,805 superficial feet. If we allow twenty-seven feet for the burial of an adult body, and divide this (the product) by that number, we shall obtain a quotient of 4,140 and a fraction. The vault is one hundred-and-eighteen feet long and forty-one feet wide. If we take the main width of a coffin, or the space it will occupy, I think, speaking of adults, we shall be able to place on the surface four hundred-and-three bodies. According to the best information I can obtain from a man that has worked there ten years, it appears that 14,000 dead bodies have been deposited in this ground and vaults during the time he has been there.

"Can you say whether, in your immediate neighbourhood, there is any disease traceable to this cause?—Yes; and I shall prove, by a very intelligent witness, that he has known persons affected by this cause. They prepare graves in many graveyards in London for ten or twelve funerals on a Sunday, the day on which funerals mostly take place; there is the most

unseemly haste during the time of the burying; I have seen a clergyman go hastily from one to another, reading the service at each; a number of mourners come depressed with grief; their power of resistance is weakened; they may not have eaten for some time previously; they breathe the gases given off, and have been seen to stagger both in the vaults and on the edge of the grave, and in many instances have, within a week, been deposited in the grave themselves.

"You have mentioned the circumstance of burials taking place only six inches from the surface; from what cause is that; is it to save trouble?—It is frequently done to save trouble; but in many instances they cannot go lower. There is an utter disregard of consequences; and I know the working clergy are so careful not to breathe this air, that a direction has been given to the sexton to place the box at a considerable distance from the grave, so as to avoid it.

"*Chairman.* You have mentioned two sorts of gases, one sinking to the bottom, and the other rising up, and you stated that you considered that there was some animal matter floating in the gas?—In the compound mixture I have no doubt there is.

"How do you distinguish the two gases?—There are several gases intermixed with an oleaginous compound; and I am quite certain there is an animal matter floating in that mixture; having passed a quantity of this through water, on one occasion, a pellicle arose; there is no doubt a very large portion of animal matter is present in a suspended form.

"You form your conclusion from the greasy sort of matter found in the water?—Yes; the gas will be absorbed, to a certain degree, by the water, and this fatty matter will be found on the surface.

"What is it that sinks to the bottom?—The carbonic acid and other gas; these are the gases which destroyed the men in Aldgate churchyard in 1838. If the man had been on his guard, and held his breath during the time he endeavoured to render assistance, I do not think he would have died; but he unfortunately leant over the body of the dead man, inspired the gas, and fell down lifeless."

Mr Walker, who has devoted a meritorious attention to this subject, repeats, in a variety of forms, his conviction that the burial of the dead in every one of these places is injurious to the living. We have underlined some passages for the purpose of impressing on the aristocracy, who in the parts referred to have their own world, that they are just as much in danger as the poor man in Limehouse; the vaults and yards in all the fashionable churches, whether for marriage or prayer, being crowded often to within six inches of the surface.

It is as bad as anywhere else next door to the Queen, Lords, and Commons in Parliament assembled, as appears from the following extract from the '*Lancet*' for June 13th, 1840:—

"William Green, a grave digger, while employed in his vocation in the churchyard of St Margaret, Westminster, was suddenly seized with faintness, excessive chilliness, giddiness, and inability to move his limbs. He was seen to fall, removed home, and his usual medical attendant was sent for. The poor fellow's impression was that 'he should never leave his bed alive; he was struck with death.' He was subsequently removed to the hospital, where he died in a few days. No hope was entertained, from the first, of his recovery. Mr B., the medical attendant, was seized with

precisely the same symptoms. He was attended by me. I apprehended, from the first, a fatal result; he died four days after the decease of the grave digger. The fatal effects of this miasm did not end here; the *servant was seized* on the day after the death of her master, and she sank in a few days. There can be no doubt that the *effluvium from the grave* was the cause of the death of these three individuals. The total inefficiency, in the three cases, of all remedial means showed the great power of the virus, or miasm, over the animal economy from the commencement of the attack. —(Signed) J. C. ATKINSON, surgeon, Romney terrace, Westminster."

Let it be remembered that if this cadaverous gas comes into undiluted contact with the lungs of a man for an instant, his life is in the most imminent danger, and his health may be destroyed for ever. No length of time can be a warrant that a coffin does not contain this gas. Mr Walker states that a short time ago a portion of the old graveyard of St Clement's in the Strand, was dug up to make a sewer, which was much needed in that neighbourhood. One of the men employed struck his pickaxe into a coffin; the body it contained had been buried in the year 1789; the gas was clearly perceptible—it issued from the coffin like the steam from a teapot spout, and the stench was insufferable.

When the republicans of Paris were plundering and devastating the vaults of the Kings of France, in the church of Saint Deny, a gas issued from the coffin of Francis I, the contemporary of our Henry VIII, of so dreadful a nature that it nearly killed the depredators; nor would they venture near the Royal corpse again for some days.

"It has been vainly thought," says Dr Farran, of Dublin, in a letter to the Chairman, "that when the body has been committed to the tomb all disease will moulder with it. We have many instances to prove the contrary to be the case: even when it has lain for years, and returned to its kindred dust, on being disturbed and exposed to the air, the disease springs up, renovated as it were by the rest it enjoyed in the grave, to recommence its havoc. We have the example which Eyam affords; in this place the plague broke out afresh from the inadvertent opening of a grave, after a repose of ninety-one years, and cut off to the extent of four-fifths of the inhabitants of a populous town."

It will be observed by some that this gas, especially carbonic acid, though undoubtedly mortal in its undiluted state, is still heavy and sluggish, and keeps about the graveyards. This certainly is its tendency; but the grave diggers will not let it alone—they force it into circulation.

The Chairman of the Committee asks—

"Is it only that gas which evaporates in air which you consider to be noxious to the population?"

Mr Walker answers—

"Undoubtedly the heavy gases also become diffused, are mixed with the atmosphere, and breathed by the dwellers in the locality, or those passing

by. In very many graveyards they are obliged, when they dig deep graves (and in most instances they are compelled to do this), to throw down lighted straw, or paper, or shavings, or water, to absorb the gases before they descend. Thus these gases are rarefied, driven up, and diffused in the atmosphere, and the next current of air may pass them into the street or into a house. There are many places I am acquainted with in the vicinity of a graveyard where they cannot keep their windows open in warm weather. I consider this a source of illness in the metropolis."

We have now taken a pretty fair survey of the burial-grounds of the metropolis. We have omitted the names of several ; but it is enough to repeat that the condition of them all is horrible, atrocious to the dead and dangerous to the living. Colonel Acton, Mr Ainsworth, and Colonel Fox, members of the Committee, visited Enon chapel and some of the burial-grounds about Lincoln's inn fields, in company with Dr Walker, after his first testimony, and from what they saw, but still more from what they felt was *concealed* from them, they assured their honourable colleagues that they might rely on his testimony as not at all exaggerated. The specific amount of injury done by this state of things to the health of the population cannot, of course, be precisely stated ; but the general opinions of Dr Walker, who seems to have more practically investigated this question than any of his contemporaries, are confirmed by the testimony of other eminent authorities.

Sir James Fellowes, who was physician to the army in the peninsula in 1804, says, that

"Even the bigoted people of Spain were convinced, by the fever that devastated their chief cities about that time, that the burial of the dead amidst their towns always killed more or less of the living, and that since 1810 the practice has been suppressed by the Government."

Sir William Clay then observes—

"You are clearly of opinion that even in this climate the effluvia arising from decomposition of dead bodies might become a generating cause of pestilence?"

- The answer of Sir James is—

"That is my opinion, and it always has been so. When I returned from Spain I saw some account of the fever in Andalusia, and I mentioned my opinion of the extreme danger of burying in towns, and that it was high time that we should give up that system in our country.

"*Chairman.* It is your conviction generally that the decomposition of corpses is capable of generating disease in the human frame, which disease may in its turn become an epidemic!—Sir James: Yes, it might be so, from the extrication of gases ; that was the opinion in Spain."

It would appear, from Sir James's testimony, that his representations in 1804 had a considerable effect in urging the Spanish Government to the enlightened resolution it adopted ; for, though we were at war with Spain then, he had a passport

from General Castanos to go where he pleased ; the authorities gave him all facilities ; they then adopted the determination to suppress burial in towns, and he was present in 1810 when it was confirmed by the Cortes.

Dr George Frederick Collier, of Spring gardens, says—

“My impression is that the interment of persons within large towns must be one cause, *inter alias*, of fevers. I believe that no single cause produces fever, but that the effluvia given off from the human body tends to depress, impair, and enervate the human frame ; and I look to this as one cause, *inter alias*, of fevers ; for my experience of twenty-three or twenty-four years tells me it is so.”

He adds, that the greatest care will not render vaults harmless ; —that even in the case of royal funerals in this country, it seldom happens, where parties descend too curiously into the tomb, but that some person or other is affected with cold or fever ; but other causes are co-operating in addition to the effluvia of the vault.

Mr G. D. Lane, surgeon, of Wilson street, Drury lane, having given an account of a case thus caused, which he had cured with great difficulty, then relates us the following little professional incident :—

“I was at the burial of a friend about six weeks ago in St Giles’s church-yard ; the corpse was not in the ground more than three feet down ; the clergyman who officiated was a sensible man ; he was as far off as that window, so that there being a little wind up you could not well hear him, and he got partly under the lee of the church ; but there was a very strong effluvia from the grave ; I tasted it ; and when I saw him keeping so far off that I could scarcely hear him, I thought he was a sensible man,* but out of respect to my friend I stood near it and bore it ; I would not leave my post out of respect to the deceased, but if I could have been alongside the clergyman I should have been glad of it.”

Dr Copeland, Censor of the Royal College of Physicians, states, that

“Burying in large towns affects the health of individuals, in the first place by emanations into the atmosphere, and in the second place by poisoning the water percolating through the soil.”

How many pumps are there standing right under the church-yard walls, as in the case of Aldgate pump, Shoe-lane pump, St Bride’s pump, the pump in the pavement around St Martin’s in the fields—not to talk of other fountains—the streams of which we may imagine rippling their dark course amongst bones and coffins, and oozing through the ribs perhaps

* A week before this, however, the Rev. J. E. Tyler, the rector of St Giles’s-in-the-fields, assures the Committee that “we have never, in any one instance, found any effluvia from the churchyard. On the contrary, it is a decidedly healthy spot.”

of the late churchwardens and the highly respectable chairman of the vestry!

If you quench your thirst in the river Hoogly, into which the dead Hindoos are thrown, you may swallow a dysentery or a putrid fever.

Dr Lynch supports Dr Copeland. Sir Benjamin Brodie informs the Committee that he has always considered the crowded state of the churchyards as one cause of fever or disease.

It must be admitted that exceptions are taken to the emphasis of some of the foregoing testimony. For example, Dr R. B. Todd, of King's-college hospital, which adjoins the burial-ground in Portugal street, of which we have often spoken, declares to the Committee that "no inconvenience whatever" has been felt in the hospital from the contiguity of the graveyard. The danger is more than compensated by the ventilation afforded by the space, and the patients, officers, and pupils, have been, he adds, remarkably free from fever.

The Lord Bishop of London, while entertaining a very strong opinion of the necessity which has long existed for some change in the present system of interment in towns, especially the metropolis, observes—

"I still must think that the actual evils which have resulted from it have been considerably exaggerated."

This is not unlikely: when we cannot measure the exact amount of an evil it is as natural that we should overstate as understate it; but a bishop can know but little personally of the horrid details which are the work of the second and third grave diggers, whenever the sexton who orders them "to make a grave" and "to cut through" turns his back upon the operation, and goes to eat pastry. However, his lordship is decidedly anxious that an end should be put to the system. Whilst the Bishop assures us that he never perceived any bad smell while residing in the churchyard of St Botolph, Bishops-gate, as rector, the Rev. Dr Knapp, vicar of Willesden, who had been twenty-seven years curate of St Andrew's Undershaft, in the city, declares that the "abominable exhalations" at length ejected him out of the rectory house, and finally from the living, which was worth 200*l.* a year, to a very inferior one.

In all the private burial-grounds something in the shape of a burial-service is read over the corpses. The proprietor is generally an undertaker, the "minister" some low tradesman who lives close by, and receives a yearly allowance from his master. When the poor see this man approach with his surplice, they never think of inquiring by whom he was ordained, and per

haps, at the only time when the words of an educated pious clergyman would make a good impression, they are disgusted or hardened by the demeanour of this sham parson—perhaps even his “pernunciation” sends the mourners laughing to the public house. In a private ground in Globe fields, Mile end, belonging to a brute named Tagg, where the dead are soon dug up and crammed piecemeal into pits, the coffins being burnt in order to make room for more, we have a “chaplain” of this sort, a shoemaker of the name of Cauch. Hoole and Martin have another “clergyman” to go through the service at their horrid place in the Borough. Haycock, the grave digger, says his name is Mr Thomas Jenner. He is a dissenter and a patten-maker; he lives close by, and gets 20*l.* a year. “So it suits him very well.” The fees are 1*l.*s. for a grown person, 8*s.* for a child. In all these places the fees are low “to suit the poor.”

But we have already overloaded our pages with evidence of the condition of the metropolis, allowing every possible deduction for the influence which bad ventilation, dirty and crowded houses, lanes, streets, and alleys, obstructed sewers, uncleansed privies, bad feeding, and filthy personal habits must have upon the health of the inhabitants, if there were not a corpse buried within ten miles of London.

Let us take a glance at the “state of the country.” Excepting Liverpool and Glasgow, where the evil has been mitigated to some extent by the opening of well-managed cemeteries a little way out of town, the system seems to cry aloud for a remedy as well as in the metropolis. In Liverpool they have an excellent cemetery, but every one is not buried there; and in some of the other churchyards they persist in the evil practice of accumulating a pile of coffins in the same pit. Even in Glasgow, Dr Bowring says, “It occurred to me, some time ago, to *see corpses absolutely visible* on the surface of the churchyard!”

CARLOW.—DE Shewbridge Connor states, that

“The churchyard in Carlow is in the centre of the town, and so closely surrounded by tenements, that in some places the wall of the dwelling house, often loosely built, alone divides the bed of the occupant from the perhaps newly-tenanted grave.”

OXFORD.—Alderman Sadler states—

“Eight out of our twelve churchyards are inconveniently filled; and in 1837, when I was called to the office of chief magistrate, I convened several meetings of the local clergy and parish officers, to endeavour to establish a cemetery near the city; but petty jealousies prevailed, and the subject dropped.”

Dr Randall adds, that

“In some cases decency has been outraged by the revolting exposure

of the remains of the dead ere yet the grave has fully done its task, as well as by the laying open to view the circumjacent coffins in digging fresh receptacles for the corpses of the parishioners."

CAMBRIDGE.—Mr Fisher, the mayor, states, that in most of the churchyards there is no unoccupied space, yet more bodies are rammed into the ground every day. Dr Hairland confirms this, adding—

"The state of the burying-grounds in this town is most offensive, demoralising, and injurious to the health of the inhabitants."

DUBLIN.—Dr Fitzpatrick writes a letter to the Chairman, too brief and interesting to be abridged :—

"Park street, Dublin, 25th April, 1842.

"Sir,—As in an investigation such as you are prosecuting every authentic fact bears some value, I beg to bring under the notice of the committee the following circumstances demonstrative of the abominations consequent on the frequent re-opening of graves. In 1835 I attended the funeral of a lady to St Bride's churchyard, in this city : on arriving there I was surprised to see a coffin on the ground tied with ropes, and in so shattered a condition as to permit a partial view of the body which it contained. On making inquiry, I ascertained from one of the attendants, that owing to the crowded state of the churchyard, it was necessary to lift up this coffin in order to make room for that of the lady, and while they were removing it to a short distance it broke asunder, and the body, in an advanced state of putrefaction, fell to the earth, creating so disgusting an effluvia as obliged the grave diggers to retire to a distance. On the occasion alluded to, a gentleman and I recognised the head of a friend who had been interred in the same grave two years previously ; the muscles and the lower jaw were removed, but the scalp being perfect, the peculiarity of the hair and the formation of the skull satisfied us of its identity. Thus, sir, independent of the question as to the influence of noxious emanations from decomposed bodies on the already loaded atmosphere of cities and large towns, some of the best feelings of human nature are outraged by such profanation of the grave, and by the indignities offered to the remains of those who during life were esteemed and loved. Every man of well-regulated mind must wish for the prevention of such abuses, and this object can only be attained by the establishment of extensive cemeteries, thereby removing the necessity of re-opening graves, until at least such changes were effected as would prevent identification of the body, or the production of noxious effluvia.

I have, &c.

"THOMAS FITZPATRICK, M. D.

CARLISLE.—A letter from Mr Mounsey, the mayor, contains the following paragraph :—

"In Carlisle there were, until within a very few years past, only two burial-grounds, the crowded state of which frequently caused most revolting exposures, and in hot weather very disagreeable effects. Two small additional burying-grounds were provided, eight or ten years since, in the suburbs ; but they are filling very rapidly, and the town extending around them."

SOUTHAMPTON.—Mr Dickson, the mayor, describes the general burying-ground in St Mary's parish as in a very crowded

and disgraceful state. The Town Council has offered a gift of twenty-two acres for a cemetery, "but the Radicals in vestry assembled refused this boon." The worthy mayor gives no opinion as to these Radicals, but we have no hesitation in saying that they ought to be buried alive.

LEEDS.—This place is in a dreadful state. Mr Robert Baker, surgeon, being examined before the Committee, speaks generally of the ground as being extraordinarily full. The parochial ground, consisting of three distinct pieces, has been filled and refilled, diffusing fever around. The burial-places are surrounded by inhabitants.

"I was in the ground last Wednesday collecting information, and the sexton took me to a grave which they were then digging for the interment of a female; two feet below the surface they took out the body of a child which was said to be an illegitimate child, and it had been buried five years; below that, and two feet six inches from the surface, were two coffins side by side, the father and the brother of the person who was then going to have the interment; the father was buried in 1831; the coffins were opened, the bones were in a state of freshness; the matter had been putrified off the bones, but they were perfectly fresh; they were thrown on the surface, and at that time the person came in who was going to have the interment; he spoke to me about it, and made use of this expression, 'Look! these are the skulls of my father and my brother, and the bones of my relations, is not this a bad business? It cannot, I suppose, however, be helped; I must have a family grave.' He was very much shocked; he stayed a short time, and then went away a little distance.

"That the parish churchyard, Sheffield, is in the centre of the town, surrounded by retail shops, offices, and respectable private dwellings; that graves are continually opened, from which offensive smells are emitted, especially in particular parts of the burial-ground; and at one corner resides a family who are so annoyed as to be under the necessity of keeping their windows constantly closed. I am myself often obliged to give orders for my windows to be shut when the grave digger is at work, and the wind from the south. On the south side the land is very wet, and frequently buckets of black water, of a most pernicious and unpleasant odour, are emptied at or near to the principal street of the town. It is not unusual to see old coffins, in which bodies appear to be in a state of decomposition, taken out of graves, and secreted in what is termed the bone-hole, until a funeral has taken place, in order to make room for another interment, where scarcely it is possible to deposit another body, so crowded are many and most of the graves. I frequently see human skulls and bones strewn about the graveyard in a most disgusting manner, and very often graves are opened only just deep enough to cover the coffins. I can only account for this, that either the parties were too poor to pay the full fee of interment or that the grave was full.

"That St Paul's churchyard is in a thickly-populated part of the town of Sheffield, and the land there is also very wet, and when graves are opened much annoyance is experienced by the inhabitants. In the summer, after a heavy shower of rain, the nuisance of the drains into public street channels is intolerable, so much so, that one of our most active and respectable magistrates has complained.

"That St George's churchyard is situated in one of the best parts of the town, but this graveyard is a complete nuisance to the tenants of the

respectable dwellings around it ; and I have often heard one of our most respectable medical practitioners complain of having to pass this, as one of the greatest nuisances to the public health in the town of Sheffield."

But why make a circuit of general grave delivery through every town in the United Kingdom ? The reader is perfectly safe in the conclusion that many other towns are in a similar condition to those to which we have adverted, and he may infer thence the sepulchral grievances of the country at large. We may, therefore, cut short our dismal tour of inspection, and proceed at once to consider the immediate and prospective *remedies* that have been discussed by the Committee.

The first class of remedies is merely mitigative and temporary, not interfering with vested rights, and so far easy, but running contrary to popular prejudice, pride, and human affections, and therefore very difficult of execution.

The first evil in the present system of treating the dead is, that the corpse is kept in the house of the family much too long. This fault extends through all classes, but to an excess amongst the poor.

Mr Robert Carr, of Duke's court, Bow street, London, an undertaker, who is ' thankful that he has lost the sense of smelling,' tells the Committee that the most deleterious odours are the consequence of this practice. " I am not sensible of what I inhale," he says ; " but I have had a very bad taste in the throat." We subjoin the continuation of the dialogue :—

" *Mr Ainsworth.* After you have been at one of the interments have you had an unpleasant taste in the throat ?—Yes, if the body happened to be very bad, which is too frequently the case among poor people. If a person dies, we will say on Wednesday, the following Sunday is the convenient day. The first Sunday is too soon for them ; they keep it till the Sunday following, when you can hardly go near the body, it is so bad.

" *Chairman.* Have your children been afflicted with illness ?—My little boy was ill some time ago, in consequence of a body that I had in the house : and it made me ill also.

" Why did you have a body in your house ?—A man died at the King's-college hospital, and I removed the body to my house, the people not having convenience to take it to their own home ; then it was not convenient for them to bury it in a reasonable time, and at last it became so offensive that we could hardly bear the place. The body was placed on a bench in the shop. My little boy works a little in his way, and this body was on his bench ; it was very much in his way ; he kept puddling about at his little bench, and I really believe that his illness was occasioned by that, in consequence of being myself so ill ; he was more about the coffin than I was.

" What was his disorder ?—He was taken ill very suddenly ; he breathed very quickly, and I supposed that he would not live long. I went to Mr Walker ; he came, and he said he was very bad, and if something was not done very quickly he would have a most severe illness, but he would do what he could.

"Did he cure him?—Yes, to my astonishment, and of every person who saw the child.

"I suppose that has been a lesson to you, never to have a dead body in your house again?—Yes; and if ever I should have another, if it is not buried within a reasonable time, I will go to the overseer and insist on its being done.

"*Chairman.* Now you, as an undertaker, have great opportunities of seeing the customs of the poor; have the kindness to state to the committee your opinion as to the custom they have of keeping bodies so long before interment?—In many instances persons say, 'We cannot bury under a week;' that is from custom. Others have not the means of getting a black gown, and they cannot follow in a coloured one; that is their bit of pride; then it is put off, it may be, two or three days on that account. They will not have their relatives buried by the parish; they would rather do anything than that, saying they wish them to be buried respectably; and then the end of it is, that myself, and other people like me, often bury for nothing, not intending to do it. They cheat us; and if they would do away with their little pride, and let the parish do it, the bodies would be removed in a reasonable time, and such men as myself would not be imposed on as we frequently are.

"*Mr Ainsworth.* Does any drinking go on?—It is generally a drunken job; it is too frequently so.

"*Chairman.* From what you have stated, as to this dead body being in your house, making you and your boy sick, your impression is that it is very injurious to the health of people keeping bodies in that way?—I am sure of it.

"And you attribute it to the two causes you have mentioned?—Yes, keeping bodies above ground too long; and it would be a very good thing if it could be altered, so that a body should be compelled to be buried within six days."

The following example is taken from Mr Walker's subsequent correspondence with the Committee:—

"In the month of June, in the year 1835, a woman died of typhus fever, in the upper part of the house, No. 17 White-horse yard, Drury lane. The body, which was buried on the fourth day, was brought down a narrow staircase. Lewis Swalthey, shoemaker, then living with his family on the second floor of this house, and now residing at No. 5 Princes street, Drury lane, during the time the coffin was placed for a few minutes in a transverse position in the doorway of his room, in order that it might pass the more easily into the street, was sensible of a most disgusting odour which escaped from the coffin. He complained, almost immediately afterwards, of a peculiar coppery taste, which he described as being situated at the base of the tongue and posterior part of the throat; in a few hours afterwards he had, at irregular intervals, slight sensations of chilliness, which, before the next sunset, had merged into repeated shiverings of considerable intensity. That evening he was confined to his bed; he passed through a most severe form of typhus fever; at the expiration of the third week he was removed to the fever hospital, and recovered. He had been in excellent health up to the instant when he was exposed to this malaria."

The poor operatives dressed in black, whom the undertakers employ, suffer dreadfully from this custom when they attend a "walking funeral."

The Chairman to Mr Whittaker, the undertaker :— .

"What is the practice employed in walking funerals?—There are men underneath; the pall covers them, and they convey the body to the ground.

"Is not that likely to be unhealthy to the men who convey the bodies?—Yes; I have been affected very much myself by a walking funeral before now.

"Is not the gaseous matter that escapes from the coffin, being shut up under the pall, likely to affect the coffin-bearers?—Yes, particularly the men at the shoulders; they are closely covered by the pall, consequently they inhale more of it than the men at the feet.

"Have you found that affect their health?—It has affected mine.

"Colonel Fox. In what way has your health been affected; what have been the symptoms?—I have lost my appetite, in the first place, with severe sickness; I have not been able to follow my work. In some cases, where I endeavoured to get some gas at one time from one of the vaults, I was laid up then for a week, or nearly a fortnight, and was not able to follow my business.

"Did you consult any medical man on that subject?—I consulted Mr Walker.

"Did the medical gentleman that attended you attribute your complaint to that occupation?—Yes; and I am certain it was that.

"Chairman. According to your impression, is that gas exhaling also injurious to the houses in the vicinity of the graveyard?—I should certainly think so.

"You judge so from the effect which it has had on yourself?—I do."

The Rev. E. James comes forward with the following dreadful testimony :—

"I was asked, on my former examination, whether I had experienced anything offensive issuing from the tombs in attending Stepney churchyard, in answer to which, I said, no. I beg to repeat that; but though I say that, at the same time I have suffered dreadfully from effluvia issuing from bodies interred, where parties have kept their friends till they were in such a state of decomposition as literally to render it impossible for any person to approach near the coffin. I recollect on one occasion distinctly, where the corpse was brought into the church between the services on a Sunday, no language can describe the scene I witnessed; the undertaker's men all covered over with that which ran from the coffin, and such a scene in the middle aisle of the church it was enough to poison a person, and I was obliged to send for chloride of lime to disaffect the church to enable persons to come to afternoon service, which they could not have done unless I had taken that precaution.

"Lord Mahon. What period of time after death had the corpse to which you allude been kept?—That I cannot answer; but that, I presume, depends very much upon the state of the weather.

"Chairman. It is your impression that it is very injurious to the living to keep bodies too long uninterred?—Certainly.

"What time do you think they should be allowed to be kept unburied?—I should say generally five days.

"Lord Mahon. In practice does it happen, except in very rare cases, that anybody is kept from burial longer than one week?—In the summer time it very often happens."

No wonder, then, it should be an observation amongst

undertakers that those who attend a funeral one Sunday are often brought to the same churchyard on the following Sunday as corpses! * Even the protections of embalming within three coffins are not always sufficient. Mr Bunn, one of the gentlemen-at-arms, states in the 'Stage, before and behind the Curtain,' that while doing duty around the remains of his late Majesty, he could scarcely endure the odour that evaporated from the royal corpse.

This great preliminary evil can only be effectually checked by an Act of Parliament compelling the interment of a corpse within a period of from twenty-four hours to six days, according to the nature of the disease or accident that had produced death. It is as reasonable that Parliament should interfere on this point as that it should have done so in the enactment enjoining the burial of the dead in woollen, and commanding that the depth of a grave shall not be less than five feet. The grave diggers, however, seem to treat this latter law as a "dead letter." The new restriction could be easily carried into operation in towns by the addition of a medical supervising officer to the local division of police, and of course by the attaching heavy penalties to cases of non-compliance.

The next proposed improvement is in the fabric of the coffins; —the desideratum being not that they should be better, but that they should be *worse* than those now in use. Mr Walker says,—

"I think there is a great deal of unnecessary expense as to coffins. The French are wiser than we. They seldom pay more than five or seven francs for a coffin.* The public will perhaps think that they do a very clever thing in putting the body of their friend into a leaden coffin, but it is not the least protection. The elm is more durable when in the ground than deal; therefore it is desirable that deal should be substituted for elm. The coffin should be as light as possible. The cheap French coffin is made of the pine. It is exceedingly similar to an orange chest, in the form of a roof to the top. The city mark is placed on it."

This intelligent witness adds, that a body placed in an ordinary coffin will be decomposed in seven years. The inference is that in the lighter proposed deal coffin decomposition would be much quicker. An elm coffin placed in moist ground will last for a great number of years. Dr Navier, a French physician, states that upon examining three bodies, one at seven, another at eleven, and another at twenty years after interment, he found them all in a state of active putrefaction. In dry, well-ventilated vaults, as in St Patrick's, Dublin, and the cathe-

* Mr Harker, undertaker, of St Stephen's, Coleman street, states the cheapest coffin, made for a grown person, to cost about 14s.; that is for elm, but a slight deal coffin could be made for 9s. or 10s.

dral at Vienna, bodies become mummies, and endure longer than any coffin.

As long as we must have burials near a dense population, and in grounds over-occupied, it is admitted that the introduction of every method that can accelerate decomposition will be a public advantage. Next to the light coffins comes the consideration of quick lime as an agent of dissolution. The committee frequently advert to the Neapolitan plan, and ask whether a modification of it would be practicable here? The practice referred to is one of the wonders of Naples, and is carried on at the Campo Santo, which is situated outside the city, looking towards Mount Vesuvius, and is used exclusively for the burial of the poor. A low wall encloses a quadrangular area, which contains three hundred and sixty-five deep pits, one for every day in the year, each covered with a slab, to the centre of which is fastened a massive iron ring. When the anniversary of one of these holes arrives the slab is removed; in the evening come one or two carts laden with the bodies of the poor. They are brought without clothes or coffin, or distinction of sex, but thrown and pressed over each other with infinitely less care than a farmer would bestow on the carriage of half-a-dozen dead pigs to market. Two or three athletic brutes, almost naked too, are engaged in pulling the corpses out of the cart. Each assistant sets the body on his shoulder, or sometimes astride on both his shoulders, according to its weight and size, and then, trotting to the mouth of the pit, bends his neck, and allows the burthen to fall over, exactly as a porter at the wharfs dispatches a sack of grain. When the last of the dead is flung in, an immense quantity of quick lime is thrown over the bodies. The dark cavern is then closed up, and, when it is again opened that day twelvemonth, nothing is seen but a heap of bones at the bottom!

Mr Walker says, "I do not think the public would submit to that; I think the old Roman plan of burning would be preferable." Unquestionably. But as to the practicability of a modification of the plan, there is considerable difference of opinion amongst the witnesses. Colonel Fox asks—

"Might not that objection be obviated by doing it in a more decent manner than it is done at Naples?—Mr Walker: I think it might; the English are a very sensible people, and they might be brought to anything reasonable."

Dr Copeland thinks the opposition to the introduction of quick lime into and about coffins would not be material; the practice would be beneficial. But Dr Bowring doubts this:—

"In Portugal, where, generally speaking, quick lime is used for the purpose of destroying the corpses of the dead, I recollect some of the churchyards in the city were exceedingly offensive."

If lime be laid on the exterior of the coffin the effect on the corpse will be little or nothing; but quick lime neutralizes the carbonic acid gas: for the purpose of neutralizing other gases the Chloride of lime is best. The fact is, quick lime is already used in most, if not, all, of the metropolitan graveyards. Mr Whittaker says it is merely strewed or intermixed with the ground, or the sides of the coffin are taken out and the lime is strewn over the body. We have had repeated evidence that it has been in abundant use in Fnon chapel. Quick lime, as an accelerative, is too slow, and, as a neutralizer, a mere palliative when brought to act upon the immense amount of mortality which our grounds and vaults contain.

The next immediate partial remedy suggested is, that the bodies should be buried side by side, and not one over the other, as is the present practice. Mr Walker observes:—

“I have examined upwards of ninety graveyards, and am decidedly of opinion that coffins should be placed side by side, even as a matter of economy, and not as they are in Barbican and other places, where they have twenty or twenty-five bodies in one grave. We have had the old graveyard of St Clement's turned up within these few days, and given to the street; this was necessary, for the purpose of a sewer; the stench was abominable, though it is forty years since that was used as a graveyard; if that place had been opened in the summer, it might have produced an epidemic.

“Suppose a case,” he continues, “where it is necessary to exhumie a body for judicial purposes, as happened at Chelsea in 1840. A poor man died in a wretched hovel in Paradise row, Chelsea, and was buried in the usual way by the parish. A judicial inquiry was instituted, and it was necessary to exhumie the body. The grave digger opened the hole, and after searching for some time, he declared his inability to find it. The coroner (Mr Wakley) inquired of the summoning officer the precise number of bodies interred in the same pit? The officer replied, to the best of his recollection there were twenty-six bodies. The coroner wished to be informed if they *rammed them in with a rammer*? The officer said he was not aware that they resorted to such a process, but the bodies of paupers were packed together as closely as possible, in order to make the most of the space. The coroner observed that such a system of burial was revolting to humanity, and reflected the highest disgrace on a Christian country.

“With regard to the burials of the poor, it will be difficult to say how they should be provided for; but if we go upon the old system of putting eighteen or twenty bodies in a grave, we shall leave a source of disease which may be acting for a long period. In Paris they have an excellent mode for the interment of the poor. The ‘*fosses communes*’ of a cemetery was dug to a depth of four feet, the earth being thrown up on either side by the fosse for a considerable distance. The bodies are deposited side by side, but ~~not~~ one upon the other. The mortality of the day being received, the earth is thrown on the coffins thus deposited until the fosse is filled, when another place is dug and occupied in the same manner. This ground, as required, may with safety be again employed for burial after a period of five or seven years.”

But, admitting Mr Walker's theory of the economy of space

to be true, it will not be carried into practice in the metropolitan graveyards or in those of country towns. The crowded, or rather crammed state of the grounds, the urgent demands of our present mortality, and the vested rights of the grave diggers, will continue the deep pits.

It cannot be denied that the institution of suburban cemeteries has, in some slight degree, checked the practices of which we complain; but their benefit is hardly sensible—in fact, the inadequacy of what they have done, or can do, only demonstrates the enormous extent and inveteracy of the present means of burial, and the necessity of the Legislature stepping in as the only power able to afford us general relief and protection. Most of the cemeteries established out of town are joint-stock speculations, and we do not see why we should speak more harshly of this kind of scrip than of any other; we must give them credit for every advantage they offer, and then remember that the shareholders are as anxious for the public accommodation, and their own, as are the “honourable proprietors” of any railway or steam-packet company, or, in short, of any other undertaking. The Highgate cemetery is beautifully situated; but Sydney Smith says we use for our tea the water that percolates through it. Mr Walker observes, that the Kensal-green cemetery is flanked by a canal, “and here they follow the very objectionable practice of placing several bodies in one grave.” The Rev. Mr Knapp fears that some of the cemeteries will soon be too near London, as they are already beginning to be built round. The situation of the Norwood cemetery seems amongst the best; but we are not sure whether it is consecrated. Mr Walker thinks cemeteries ought not to be nearer than two miles to town; Dr Knapp thinks five miles; but a preference should be given to an elevated situation, as there the gases would pass off with the currents of air.

It being admitted then, on all hands, that burials in towns should cease, that cemeteries should be established outside towns, and that Government ought to take the question into its own hands, we have now to proceed to consider how this is to be done.

The Bishop of London thus addresses himself to the difficulties of the case:—

“Feeling, in common with other persons, the necessity of applying some remedy for the evil complained of, I am at the same time interested in the subject for another reason; looking to the interest of the parochial clergy of my own diocese and of others, but especially of my own, as being involved in the question. I am sure that the clergy, generally speaking, would be willing to make some sacrifice for the sake of effecting so great an improvement as is contemplated; but you cannot expect men, the principal part of whose subsistence in some cases depends upon the fees

arising from a practice that has hitherto not been complained of, willingly to give up the whole source of that income without some compensation. In some of the parishes, as I will shortly prove by instances, a considerable proportion of the incumbent's income arises from burial fees; and whatever measure is adopted with a view to remove the interment of corpses from cities and crowded towns, to cemeteries placed in the neighbourhood, it will scarcely be possible to prevent considerable loss to the clergy; because, even if you can secure to them the fees to which they are now entitled by law, for every corpse which is carried out of their parish to be buried in a cemetery, they will mostly lose the complimentary fees, and what are called 'the fittings,' that is to say, scarves and handkerchiefs, which in some parishes amount to a very considerable sum annually; these are only given, of course, where the clergyman attends in person, and unless he himself performs the ceremony in person he cannot expect to receive what are called the complimentary fees. All I can say with reference to that part of the subject is, that I hope that in any legislative measure, some care will be taken to diminish the loss to the clergy, as far as consistent with the public interest; and that such a thing may be done, though I am afraid not without some difficulty. In the first cemetery established in the neighbourhood of London, that of Kensal green, when the whole question was new, and the effects of the cemetery could hardly be calculated, a fee was reserved, I forget the amount,* upon each funeral coming from certain parishes, to the incumbents of those parishes, which, however, proved to be an utterly inadequate compensation, and the incumbent of Paddington, whose income arises principally from fees and Easter offerings, informs me, that in consequence of the opening of that cemetery he considers himself to have lost at least, 200*l.* a-year; that from one parish; and the loss to the rector of St Marylebone, I am sure, cannot be less. The next cemetery opened was that at Highgate. That bill was passed at a time when I was prevented by severe illness from attending to public business; and by the Act which was passed, a small fee was secured to the clergymen, and there again they are great losers. The third cemetery near London was that of the West London and Westminster Cemetery. In that case the company are obliged by law to pay a fee of 10*s.* for every funeral to the clergyman from whose parish it comes. That sum was considered by the clergymen, whom I consulted upon that occasion, as being a fair compensation, taking an average, for the losses they were likely to sustain. I may here remark, with respect to that mode of compensating the clergy, that it makes it necessary for them from time to time to go round to the different cemetery offices to look over the books, and to see what funerals have been brought from their respective parishes, to calculate the amount, and then to demand it of the officers of the company, which is not a very agreeable, nor, at times, a very easy task for the clergyman to perform; and, upon the whole, I fear that it will not be possible to secure the interest of the clergy effectually, but still it may be done to a considerable extent. While I am on the subject of cemeteries, I would remark, that a provision ought to be made (and this will be one of the difficulties of the case) for the funerals of the poor; as it is, they are much too expensive for poor people, and if they are obliged to carry the bodies of their friends to a distance in the country, in the present mode, it will become more so. There is, however, no expense so little thought of by the poor as the expense of a funeral. I have known repeated instances where they would deprive themselves of

* Dr Knapp says it is 5*s.* for a vault funeral, and 18*d.* for a common grave funeral.

the necessities of life for the sake of paying respect to the bodies of their departed friends; and I should be sorry that that feeling should be interfered with beyond a certain extent. I think, by means of a cheap and decent kind of conveyance, of a hearse, that the expense of a funeral may be reduced, and if the poor do not object to avail themselves of it, that it may be done as cheap as their funerals are performed at present, if they are willing to dispense with what is called 'a walking funeral.' I think that it is wholly impossible to pass any law, the provisions of which (unless there be a latitude of application provided) shall be applicable to all parts of populous towns in the kingdom; what may be a very wise provision for the metropolis, or for any given populous town, may be found not to be applicable to another town with an amount of population nearly as great. I would take the liberty of mentioning one instance, that of my native town, Bury St Edmunds, where there is but one churchyard for the whole of the town, containing about 11,000 inhabitants; and if you were to go merely by the rule of population, you would say that no funeral should take place in the town; but then that churchyard is very large; it is open on one side to the country, and will serve the purposes of the town for many years to come, without the slightest chance of detriment to the health of the inhabitants; therefore I think it must be left to the local authorities, acting upon certain principles, and under certain regulations laid down by law, to determine in what cases funerals shall be prohibited, and what provision shall be made for the interment of the dead. I do not think anything else occurs to me at the present moment, which I think it necessary to state, unless the committee should like to hear the amount of burial fees in some of the parishes of London for the last three years."

The following list of burial fees was then handed in:—

| | 1838. | | | 1839. | | | 1840. | | |
|---------------------------|-------|----|----|-------|----|----|-------|----|----|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| St James, Westminster | 329 | 0 | 0 | 298 | 0 | 0 | 246 | 0 | 0* |
| St Botolph, Bishopsgate | 36 | 1 | 2 | 42 | 7 | 2 | 23 | 9 | 10 |
| St George the Martyr | 70 | 12 | 6 | 59 | 5 | 10 | 59 | 0 | 8 |
| St John, Westminster | 123 | 7 | 0 | 93 | 19 | 8 | 105 | 13 | 7 |
| St George in the East | 101 | 15 | 0 | 101 | 8 | 6 | 74 | 8 | 6 |
| St Bride | 51 | 6 | 8 | 51 | 2 | 0 | 81 | 2 | 4 |
| St Margaret, Westminster | 160 | 14 | 0 | 115 | 1 | 6 | 128 | 0 | 8 |
| St Giles in the Fields | 764 | 16 | 6 | 608 | 19 | 6 | 635 | 13 | 0 |
| St Dunstan, Westminster | 39 | 9 | 2 | 24 | 0 | 8 | 35 | 5 | 10 |
| St Clement Danes | 121 | 14 | 9 | 112 | 19 | 10 | 86 | 3 | 4 |
| Bethnal Green | 71 | 4 | 0 | 64 | 4 | 0 | 62 | 3 | 6 |
| St George, Bloomsbury | 273 | 7 | 6 | 159 | 4 | 6 | 235 | 2 | 0 |
| St Botolph, Aldersgate | 60 | 8 | 4 | 58 | 2 | 8 | 45 | 10 | 0 |
| St George, Hanover square | 597 | 17 | 0 | 423 | 8 | 2 | 488 | 11 | 2 |
| St Giles, Cripplegate | 87 | 9 | 6 | 66 | 6 | 10 | 56 | 14 | 10 |
| St Sepulchre | 80 | 16 | 6 | 66 | 8 | 0 | 72 | 6 | 0 |
| St Andrew, Holborn | 306 | 0 | 1 | 324 | 14 | 1 | 223 | 15 | 2 |
| St Catherine Cree | 75 | 3 | 6 | 43 | 16 | 6 | 56 | 13 | 6 |
| St Olave, Hart street | 60 | 8 | 0 | 37 | 4 | 0 | 32 | 2 | 0 |
| Allhallows, Barking | 31 | 19 | 6 | 7 | 19 | 0 | 15 | 16 | 6 |
| Paddington | 494 | 14 | 0 | 404 | 18 | 0 | 425 | 4 | 0 |
| Kensington | 216 | 13 | 6 | 154 | 9 | 4 | 254 | 13 | 6 |
| St Marylebone | 589 | 17 | 6 | 548 | 15 | 4 | 516 | 11 | 0 |

* In the six preceding years the yearly average was 405l.

The decrease is attributed to the establishment of the cemeteries in the suburbs. The establishment of general cemeteries in the country would deprive the clergy of all these fees, and also of fees upon monuments, grave-stones, and tablets.

His lordship would have no objection to a part of a public cemetery being left unconsecrated, for the accommodation of those who do not belong to the Church of England: but the clergy should get no fees from the latter. If the act for the abolition of burials in towns were passed, he would be for preserving the rights of family vaults, within strict limitations, under the churches; but he would not permit the opening of new vaults. He would extend the same principle to some family graves in churchyards, provided always that there should be a sufficient number of feet (four or five) over the uppermost coffin. He also hopes that the case of the parish clerks of London, a respectable body of men, will be taken into consideration, before they are deprived of their fees. The sextons and grave-diggers he would leave to shift for themselves.

Mr Knapp thinks that in large parishes a penny rate would cover all the expenses connected with the new cemeteries, including the fees to the clergy. But in every place it is assumed that the clergy would willingly accept a moderate compensation for their precarious fees. The expense of the decent burial of a pauper in town is about 2*l.*; but if several bodies were carried to the cemetery in one hearse, as has been the case at St Giles's, though the bishop objects to it, the expense to the parish would be much less. Whether we refer to the "noisy declamations of the Radicals," as at Southampton, or to the factious opposition of certain Dissenters, as at Leeds, it will be seen that the local feelings of the dispassionate and enlightened inhabitants cannot act until they are protected by a general statute.

How discreditable to this country is the difference between the English and the Egyptian fashion of legislating on this subject! We find the following interesting narrative in the evidence of Colonel Patrick Campbell, late British consul-general at Alexandria:—

"I was resident at Alexandria at the time the different burial-places were removed out of the town. For each religion there was a separate burial-place; a Protestant burying-place, a Roman Catholic burying-place, a Greek Church burying-place, a Jewish burying-place, a Mohammedan burying-place, and an Armenian burying-place; in fact, every sect in the country had a burying-place within the walls of Alexandria; and indeed the Turks had several burial-places, which were easily known by the marble tombs; they generally put up a different kind of turban, according to the position of the person buried. And in the year 1835, after the severe plague, or towards the early part of 1836, I was talking to Mahomet Ali one day about it; he asked, whether any means could be adopted to remove the burial-places: whether I thought it would be advantageous? At

that time the Roman Catholic burying-ground was completely burthened with dead inside the walls of the town, exceedingly offensive. I told the Pacha I thought there was plenty of space out of the town, one or two miles from the town, and that it would be easily arranged with the consent of the heads of the different religions, to remove the burying-places, or prevent further burials going on in Alexandria; and immediately he sent the chief of police to me. I was at that time president of what was called the Board of Ornament, which Mahomet Ali begged me to take charge of, for the improvement of the streets. Some of the streets were very narrow—very many buildings irregularly placed. I was perpetual resident. Mr Thurburn, who was British consul at Alexandria; Mr Harris, the principal British merchant; and the Greek consul-general, and another consul-general; the Turkish head of police; the Turkish president of the Tribunal of Commerce, and the Turkish military engineer. There was the chief civil engineer, an Italian; and we took everything of that kind into our own hands. The Pacha sent the chief of police to me; I told him to take the civil engineer, who was paid by the Pacha for attending on the board, and go to the chiefs of the different religions, and arrange with them about having their burials out of the town. The Turkish burying-ground was taken to Pompey's Pillar, and the others towards the Rosetta gate, about a mile off the road, and a mile and a half or two miles out of the town: each company fixed on their own burying-ground, and the ground was given up to them, and since that no bodies have been interred within the walls of Alexandria; and many of the numerous Turkish burying-places have been lately built on, so that the town has been very much improved."

As plans and suggestions innumerable will be brought forward respecting the kind and modification of cemetery that would best promote the object, it would not be fair here to pass by in silence the project of Mr Wilson in 1830. He objected altogether to the principle of burying the dead within the surface of the earth, as, upon this plan, if suitable accommodation were provided for every corpse, the result must be the usurpation of large and valuable tracts of land, which would be better occupied by tillage or the recreations of the community. This objection particularly applied to the case of London. Instead of a superficial-burying place, he therefore proposed a pyramid cemetery:—

"A metropolitan cemetery on a scale commensurate with the necessities of the largest city in the world, embracing prospectively the demands of centuries, sufficiently capacious to receive FIVE MILLIONS OF THE DEAD, where they may repose in perfect security, without interfering with the comfort, the health, the business, or the pursuits of the living."

This stupendous structure would occupy eighteen acres, but was intended to afford accommodation equal to one thousand acres of churchyard. The great pyramid of Gizah would be no longer one of the wonders of the world, as Mr Wilson's would far surpass its magnitude. The design of this Babylonian work covered a base as large as the area of Russell square, and towered twice as high as St Paul's cross; four cyclopean flights

of stairs ascending from the pavement to the pinnacle. The whole mass was to be faced with square blocks of granite, and surmounted by a plain characteristic obelisk, having a circular stone staircase, and terminating in an astronomical observatory. The inclosure surrounding the pyramid would contain several acres beyond its base, which might be tastefully laid out for the reception of cenotaphs and monuments. Next there were to be within the walls a small plain chapel and a register office; also four neat dwellings for the keeper, the clerk, the sexton, and the superintendent. There were to be four terrace-walks along the four walls, each angle crowned with a watch-tower. The approach would be through a lofty Egyptian portal.

The estimate of the expense was *two millions and a half*;—a startling sum in the days when the cost of the London and Birmingham railway was unknown; but assuming the annual number of interments to be 30,000, and the accommodation for each to be 5*l.*, the income of the pyramid would be 150,000*l.*, or fifteen millions in one hundred years!—thus saving not less than 12,500,000*l.* of the public money in the short space of a century—and what signifies a century in the progress of a work designed for eternal duration, or for a period as long as the earth shall endure! However, the pyramid cemetery, instead of rearing its gloomy mountain-side into the clouds, and casting the shadow of death over every part of London in succession in the course of the day, exists only upon paper: the dividends were too remote, and joint-stock people would not wait one hundred years for one hundred per cent; though doubtless some of those gentlemen have since invested their money in Spanish scrip and in the stocks of the New World, to see a return of interest or principal from which they will have to live at least a thousand years.

The impression made upon the Parliamentary Committee is contained in the resolutions added to their Report. Having recognised the necessity of protecting the rights of the parochial clergy, whose chief source of income is in some cases derived from fees received from interments, the Committee inform the House that they have resolved:—

“1. That the practice of interment within the precincts of large towns is injurious to the inhabitants thereof, and frequently offensive to public decency.

“2. That in order to prevent or diminish the evil of this practice, it is expedient to pass an Act of Parliament.

“3. That legislation upon the subject be, in the first instance, confined to the metropolis, and to certain other towns or places the population of which respectively at the last census exceeded 50,000.

“4. That burials be absolutely prohibited, after a certain date, within the limits of such towns or places, except in the case of family vaults

already existing, the same partaking of the nature of private property, and being of limited extent.

"5. That certain exceptions, as applying to eminent public characters, be likewise admitted with regard to Westminster Abbey and to St Paul's.

"6. That certain exceptions be likewise admitted with regard to some cemeteries of recent construction, according to special local circumstances, to be hereafter determined.

"7. That within the dates which may be specified the parochial authorities in such towns or places be empowered and required to impose a rate for the purpose of forming cemeteries at a certain distance from the same.

"8. That a power be given to the parochial authorities of two or more parishes or townships of the same town to combine, if they think proper, for the same cemetery.

"9. That a *minimum* of distance be fixed for such cemeteries, from the motive that leads to their establishment—the public health; and that the *maximum* of distance be likewise fixed, so as to secure the lower classes, as far as possible, from the hardship of loss of time, or weariness in proceeding to a great distance to attend the funerals of their relatives.

"10. That the parochial authorities be responsible for the due and decent administration of each burial within the new cemeteries, in the same manner as they now are within the present churchyards; and that, on the other hand, they be entitled to the same amount of fees on each burial as they at present receive.

"11. That due provision be made for the perpetual possession by the parishes or townships of the ground on which the cemeteries shall be made.

"12. That due space be reserved, without consecration, and within the limits of the intended cemeteries, for the separate burials of such persons or classes of persons as may be desirous of such separation.

"13. That no fees from any such burials in unconsecrated ground be payable to any ministers of the Church of England.

"14. That, subject to the conditions expressed in the tenth and thirteenth resolutions, arrangements be made to equalise as far as possible the total amount of fees payable on burials within the same cemetery, whether in the consecrated or the unconsecrated ground.

"15. That considering the difficulty of fixing the same date for the prohibition of burials within the limits of different towns, or the same distance for the construction of the new cemeteries, and the importance of having reference to various local circumstances, it does not appear desirable to observe in all cases an uniform rule in these respects, but that the time and manner of applying the principles set forth in the foregoing resolutions should be entrusted either to some department of the Government, or to a board of superintendence, to be constituted by the Act of Parliament.

"16. That the duty of framing and introducing a bill on the principles set forth in the foregoing resolutions, would be most efficiently discharged by her Majesty's Government, and that it is earnestly recommended to them by the Committee."

Here we may appropriately conclude our paper. The facts and opinions which we have collected show the true state of our burial grounds, and demonstrate the necessity of a change for the sake of health, decency, and convenience. The members of the committee are entitled to the gratitude of society for the diligence and fortitude with which they performed their repelling task. Through their valuable labours we may trust

soon to arrive at the time when the living shall be no longer scandalized, and the dead may rest in peace. J.

[We were glad to learn that a further inquiry upon this subject had been set on foot by Government, for we do not entirely concur in the recommendations of the Committee, and think several of their resolutions require re-consideration. The proposition, for example, to allow every parish in London to form its own cemetery, would lead to many practical inconveniences, as nothing can be more defective for such an object than our existing parochial organization. We should lament to see London surrounded by a multitude of petty and ill-managed cemeteries, which would, in fact, be nothing more than the old churchyards removed to a greater distance. What every one would desire is a general cemetery, or perhaps at most three general cemeteries, conveniently situated in regard to access, where the best possible arrangements for interments might be attainable with the greatest economy of expenditure. Cemeteries have now been long established on the Continent, and it would be well if some pains were taken to profit by the experience of our neighbours, instead of hastening perhaps to commit the mistakes they now wish had been avoided. At the present moment the management of the cemeteries of Paris is about to undergo a thorough reform, and in some respects the system will be entirely changed. The report alluded to by the Home Secretary probably contains some information on this subject, and, since the above was written, Sir James Graham has announced his intention to present it to the House; probably about the close of the Session.—ED.]

ART. X.—*North American Review*, No. 119, for April 1843.
Wiley and Putnam.

OUR number for February contained an article on the 'Treaty of Washington concluded by Lord Ashburton,' but the attention of the public was diverted from the merits of the question by a postscript to a pamphlet of Mr Featherstonhaugh, which appeared about the same time, in which it was stated that a map had been discovered by Mr Sparks, in Paris, supposed to have been the one alluded to by Franklin, in which he had marked with "a strong red line" the limits of the United States, "as settled in the preliminaries between the British plenipotentiaries."

Our readers will remember that as this map was found unexpectedly to be wholly favourable to the claims of Great Britain, a cry was raised that Mr Webster had overreached Lord Ashburton, who, it was presumed, would not have concluded the treaty of Washington had he been aware of the existence of this map. We have no desire to revive a discussion which may now be considered as set at rest, but to render our former paper upon the Boundary question, historically complete, it is necessary to notice this map controversy, however briefly; and we cannot better explain its nature than by quoting the following condensed statement of the arguments on both sides from the April number of the 'North American Review.'

"It would seem that, while the treaty was before the Senate for the action of that body, the Secretary of State communicated to Mr Rives, Chairman of the Committee of Foreign Relations, the copy of a letter from Dr Franklin to Count de Vergennes, with the copy of a map, the originals of both of which had been seen by Mr Sparks in one of the public offices in Paris; and also an extract from a letter which he had written on the subject to the Secretary of State. These papers were considered of sufficient consequence to be produced in the Senate during the debate on the treaty. The following is the extract from Mr Sparks's letter (dated February 15th, 1842), as published in Mr Rives's speech:—

"While pursuing my researches among the voluminous papers relating to the American Revolution in the *Archives des Affaires Etrangères* in Paris, I found in one of the bound volumes an original letter from Dr Franklin to Count de Vergennes, of which the following is an exact transcript.

'Passy, December 6th, 1782.

'SIR,—I have the honour of returning herewith the map your Excellency sent me yesterday. I have marked with a strong red line, according to your desire, the limits of the United States, as settled in the preliminaries between the British and American plenipotentiaries.

'With great respect, I am, &c.,

'B. FRANKLIN.'

"This letter was written six days after the preliminaries were signed; and, if we could procure the identical map mentioned by Franklin, it would seem to afford conclusive evidence as to the meaning affixed by the commissioners to the language of the treaty on the subject of the boundaries. You may well suppose that I lost no time in making inquiry for the map, not doubting that it would confirm all my previous opinions respecting the validity of our claim. In the geographical department of the Archives are sixty thousand maps and charts; but so well arranged with catalogues and indexes, that any one of them may be easily found. After a little research in the American division, with the aid of the keeper, I came upon a map of North America, by D'Anville, dated 1746, in size about eighteen inches square, on which was drawn a *strong red line* throughout the entire boundary of the United States, answering precisely to Franklin's description. The line is bold and distinct in every part, made with red ink, and apparently drawn with a hair-pencil, or a pen with a blunt point. There is no other colouring on any part of the map.

"Imagine my surprise on discovering that this line runs wholly south of the St John, and between the head waters of that river and those of the Penobscot and Kennebec. In short, it is exactly the line now contended for by Great Britain, except that it concedes more than is claimed. The north line, after departing from the source of the St Croix, instead of proceeding to Mars Hill, stops far short of that point, and turns off to the west, so as to leave on the British side all the

streams which flow into the St John, between the source of the St Croix and Mars Hill. It is evident that the line, from the St Croix to the Canadian highlands, is intended to exclude *all the waters* running into the St John.

" 'There is no positive proof that this map is actually the one marked by Franklin; yet, upon any other supposition, it would be difficult to explain the circumstances of its agreeing so perfectly with his description, and of its being preserved in the place where it would naturally be deposited by Count de Vergennes. I also found another map in the Archives, on which the same boundary was traced in a dotted red line with a pen, apparently copied from the other.

" 'I enclose herewith a map of Maine, on which I have drawn a strong black line, corresponding with the red one above mentioned.'

" Mr Rives then remarks,—'I am far from intimating that the documents discovered by Mr Sparks, curious and well worthy of consideration as they undoubtedly are, are of weight sufficient to shake the title of the United States, founded on the positive language of the treaty of peace. But they could not fail, in the event of another reference, to give increased confidence and emphasis to the pretensions of Great Britain, and to exert a corresponding influence upon the mind of the arbiter.' While Mr Rives was still speaking, another map was brought forward by Mr Benton, the senator from Missouri, with the view, as Mr Rives understood it, of confronting and invalidating the map alluded to in the above extract, but, as Mr Benton afterwards said, for the purpose of showing that the red lines were no secret. Be this as it may, the map turned out to be of such a character as to excite some degree of surprise in the Senate. After describing it in general terms, Mr Rives adds,—

" 'Here, then, is a most remarkable and unforeseen confirmation of the map of Mr Sparks, and by another map of a most imposing character, and bearing every mark of high authenticity. It was printed and published in Paris in 1784 (the year after the conclusion of the peace), by Latréc, *graveur du Roi* (engraver of maps, &c., to the King). It is formally entitled, on its face, a 'Map of the United States of America, according to the Treaty of Peace of 1783'—(*Carte des États Unis de l'Amérique, suivant le traité de paix de 1783*.) It is dedicated and presented' (*dedicé et présenté*) 'to his Excellency Benjamin Franklin, Minister Plenipotentiary of the United States of America, near the court of France,' and while Dr Franklin yet remained in Paris; for he did not return to the United States till the spring of the year 1785. Is there not, then, the most plausible ground to argue, that this map, professing to be one constructed 'according to the Treaty of Peace of 1783,' and being 'dedicated and presented' to Dr Franklin, the leading negotiator who concluded that treaty, and who yet remained in Paris while the map was published, was made out with his knowledge, and by his directions; and that, corresponding as it does *identically* with the map found by Mr Sparks in the Archives of the Foreign Affairs in Paris, they both partake of the same presumptions in favour of their authenticity?'

"The coincidence between those two maps is certainly remarkable; but we would observe, that Mr Sparks does not intimate that he saw any writing or other marks on the map mentioned by him, except the red boundary line, from which it could be even inferred that this was the identical map alluded to in Franklin's letter. There is nothing like positive proof, therefore, in the case, though the presumptive evidence is strong. Mr Buchanan, Mr Benton, Mr Woodbury, and other senators, who spoke against the treaty, made light of this map, as the tenor of their arguments required, calling it an old map, and a French map, adding, that on all the old French maps the southern boundary of Canada is pushed too far down. But we are authorised to say that this red line has no connexion whatever with any old boundary of Canada; that it is a line drawn by hand with remarkable distinctness and precision, not upon an

engraved line, and not merely along the highlands south of the St John, but throughout the entire circuit of the United States, in exact conformity with the treaty, even running out to sea, and pursuing its direction, at the adjudged distance of twenty leagues, parallel with the coast, from the mouth of the St Mary to that of the St Croix. There is another circumstance, also, which shows the care with which this red line was drawn. On D'Anville's map the latitude of forty-five degrees runs much too far south, coming down, in fact, almost to Crown Point. Now the red line, after descending the Connecticut River for some distance, turns off to the west before it reaches the latitude of forty-five degrees on the map, and proceeds in a direct course to the St Lawrence, so as to pass near the head of Lake Champlain, which is the true position. This is a proof, that the person who drew the line knew the geography of that part of the country, saw the error of the map, and corrected it.

"As to Lattré's map, described by Mr Rives, there is no certainty of its having been seen by Dr Franklin before its publication. It is probable, and that is all. As far as this probability goes, it may strengthen the presumption that the map in the Archives is the one sent by Franklin to Count de Vergennes. In each case we have no more than presumptive testimony. The fact that such maps exist, however, of so early a date, is a consideration of some moment.

"There are other maps of a similar character, which could not have originated in the same source. A revised edition of De Lisle's Map of Canada, published in Paris in the year 1783, purports to exhibit the northern boundary of the United States. The title of this map boasts of its having been corrected and improved from many printed and manuscript materials (*un grand nombre de relations imprimées ou manuscrites*). The boundary line, from the source of the St Croix to the Canadian highlands, is drawn south of the St John, and in such a manner as to exclude all the waters of that river from the territory of the United States. It is a dotted line, engraved, and distinctly marked by a red border on the British side, and a green one on the American, running in contact with each other. After arriving at the highlands near the head waters of the St John, this line takes a devious course, winding its way into Canada as far as the River St François, and thence in a south-easterly direction to Lake Champlain, which it crosses a full degree too far south. In all this part it is extremely inaccurate, and could not have depended on any information derived from Franklin, although he was then in Paris. By what authority the line was made to run south of the St John can only be conjectured.

"There is, likewise, a copy of Mitchell's map, which formerly belonged to Baron Steuben, but which, we believe, is now in the possession of the government. On this map the boundary of the United States is delineated, throughout, by a broad and bold red mark, drawn by hand, and it runs south of the St John; made with less precision, indeed, than the line on the map in the Paris Archives, but it is substantially the same. A gentleman now living saw this map fifty years ago in the library of Baron Steuben, with the red line then existing as it now appears. It could not have been copied from either of the French maps mentioned above, for, in such case, the part of the line in question would have been executed with more exactness.

"We have before us a curious German map of the United States, by Güssefeld ("Charte über die XIII. Vereinigte Staaten von Nord-America"), published at Nuremberg in 1784, in which the boundary is very distinctly drawn, and follows the highlands south of the St John. The author says, in a French note engraved on the margin, that he had con-

structed it from the best English maps (*d'après les meilleurs et spéciales cartes Anglaises*). This was the year after the ratification of the treaty, and it is the more remarkable, as we believe no English map has been found, of an earlier date than 1785, in which the boundary does not run on the northern highlands, as claimed by the United States. The line in question could hardly have been copied from Lattré's map, because, although it is in all essential points the same, it is by no means identical with it.

"Faden's map, of 1785, is the earliest English authority of this kind, as far as our knowledge extends, which has been produced in vindication of the British claim." On this map, the boundary runs south of the St John. A copy of it, brought over by Lord Ashburton, was exhibited for the edification of the Maine Commissioners. They seem neither to have been captivated with its charms, nor convinced by its red or black lines. They call it a 'small one, and of small pretensions,' and allow themselves to utter a hard insinuation against the motives of its author, the King's Geographer. But this is not much to the purpose, since the line is there notwithstanding, and is acknowledged to have been put there when the map was made.

"Mr Featherstonhaugh, in his recent pamphlet on the Treaty of Washington, lets us into the secret of another 'ancient map discovered in one of the public offices in London, after the departure of Lord Ashburton, which had been apparently hid away for nearly sixty years, with a *red line* drawn upon it exactly conforming to the British claim.' He says, 'No doubt was entertained that this was one of the maps used by the negotiators of 1783, and that the *red line* marked upon it designated the direction of the boundary they had established. But this map was not signed, and *could not be authenticated*.' We are left to infer that this was the reason why it was not sent over to Lord Ashburton, to aid him in the negotiation.

"Such is the testimony of maps on one side. We now turn to the other. In the first place, there were at least four distinct maps of the United States, expressly designed to show the boundaries, published in London during the interval between the signing of the preliminaries and the ratification of the treaty by Great Britain. These were Sayer and Bennett's, Bew's, Willis's, and Cary's. All these maps exhibit the boundaries exactly as claimed by the United States. The first two were issued a few days before the debate in Parliament on the preliminary articles, and it cannot be doubted that they were known to the members, and understood by them as presenting an accurate delineation of the boundaries. Not a word to the contrary appears in any one of the speeches, although the large extent of the boundaries was made a topic of severe comment by some of the opposition members.

"But a map worthy of more consideration, perhaps, than either of these, is that published in London in the year 1783, by the same William Faden who, two years afterwards, perpetrated the act of sending into the world the 'small map' to which the Commissioners of Maine took such exceptions. His first map, of which we are now speaking, is stated on the face of it to be drawn '*according to the treaty*;' the engraved and coloured lines are designed for this special object. It was probably published before the signature of the definitive treaty, or at least soon afterwards, for that event took place in September of the same year. It is about two feet square, and the boundaries marked on it correspond with the greatest exactness to the American construction of the treaty. As a proof that the attention of the delineator was drawn particularly to the north-eastern boundary, we have only to cite the following printed note, attached, among

others, to the margin of the map; 'The Province of Sagadahock is a *new concession*.' The tract intended by this 'new concession' is coloured green, and stretches across the basin of the St John to the ridge of the Canadian highlands. There are many other notes on the margin, explaining the boundary in different places, all tending to show that the work was executed with extreme care. And perhaps no map in England was more competent to such a task. He was eminent in his profession, and had engraved nearly all the maps and plans, published by authority, illustrative of the movements of the British army during the war of the Revolution. He could not, therefore, be ignorant of American geography. He even takes the trouble to exhibit an estimate, in figures, of the extent of territory conceded in various parts to the United States by the treaty, beyond what belonged to the Colonies under the old charters. Putting all these circumstances together, we are bound to regard this map as conclusive evidence of the state of opinion on the subject at that time in England, among those who were the most capable of forming a correct judgment.

"Besides the maps here enumerated, Mr Gallatin speaks of seven others, made within two years after the signature of the preliminary articles, all of which agree with these five; and, as we have before observed, no map published in England within the same period has been produced, which gives countenance to any other line of boundary. We deem these facts the more weighty, as Mr Oswald, the British Commissioner for negotiating the treaty, was in London when the earliest maps were made; and there is the strongest probability that he was consulted by the map-makers on a subject of this nature; quite as strong as that Dr Franklin was consulted for the same purpose in Paris; or, at all events, that Mr Oswald would take care, by some public manifestation, to correct errors of so grave an aspect derived from a false construction of the treaty. Nor would these errors, if they were such, have been overlooked by the ministers, who were vehemently assailed on account of the large concession of boundaries. We hear of no such correction from any quarter, nor of any assertion or insinuation, that the maps were erroneous.

"When we descend to later dates, we still find English maps, of the highest authority, containing the same boundary, notwithstanding the example of Faden's second effort. And these are even copied by some of the best French maps, in defiance of Lattré and the amended edition of De Lisle. In the *Atlas Universel*, by Robert, published at Paris in 1757, there is a map of Canada, on which the northern and eastern boundary of New England is laid down as since claimed by the United States under the treaty of 1783. Some time after the negotiation of that treaty, a new edition of the Atlas was published, with additions and alterations: but the boundary line in question remains the same, although the editor, under the head of *Limites des Etats Unis*, quotes the second article of the treaty, which relates to the boundaries, and implies that he considered no change of the first edition of the map necessary, in order to meet the terms of that instrument. On our table lie three maps of the United States by Tardieu, published at different times in Paris, one of them on a large scale, on each of which the boundary is drawn as claimed by the United States, with a slight deviation in one part. The north and south line, after crossing the St John, and reaching the source of the Ristagouche, turns a little to the west, and seeks its way to the Canadian highlands, so as to avoid the head waters of that river. This is in exact accordance with Mr Hale's line, and with Mr Buller's north-west angle. We have also before us an elegantly executed German map of the United States, by Reichard, belonging to the Ebeling Collection in Harvard College, published at Nuremberg in 1809, which gives the boundary exactly as claimed by the Americans.

And, indeed, innumerable testimonies might be accumulated, to show that such has been the general sense of European geographers, as well on the continent as in England.

"We shall here dismiss this subject of the conflict of maps. We confess it is extraordinary, nor shall we venture upon the hopeless task of explaining or reconciling its difficulties, or of bringing light out of darkness. As far as it goes, however, the weight of the argument from this source preponderates heavily on the American side; immeasurably so, if we estimate it by the number of maps; but less so, it may be conceded, if the relative authority of the principal ones only be regarded. We must hold to the conviction, nevertheless, that Mr Oswald, or the British ministers, or both, were consulted in the execution of the first English maps. The presumption is so strong, that nothing short of absolute demonstration to the contrary can weaken this belief. We allow it is probable, and nothing more, that Franklin was consulted for a similar object in Paris. An idea has been thrown out, on the supposition of the red line on D'Anville's map having been drawn by Franklin, that he was mistaken. This is an easy way of solving the problem, if the fact could be proved. If this red line rested on Franklin's authority alone, such an idea might possibly be more than a shadow. As we have only probabilities in the case, it is, in our opinion, much more probable that he did not draw the line, than that he should not understand the treaty, six days after it was signed, which he had been as many months in negotiating. But what shall we do with the four maps, emanating from different sources, of which it is not pretended that Franklin had any knowledge? These are all separate authorities, and they accord with the supposed Franklinian red line. Besides, why should we conjecture Franklin to have been mistaken, any more than Mr Oswald, or the British ministers, or the English map-makers? Since we must admit an error on one side or the other, and admit, also, that we know nothing more about it, let us do justice to both parties, and at least allow them the grace of dividing the mistake between themselves, until we can place it on the right shoulders by some clear and indisputable evidence. It is a matter of serious regret that the opinions of Mr John Adams and Mr Jay, in regard to this boundary dispute, were never publicly expressed. The former lived twelve years, and the latter fifteen, after the Treaty of Ghent, and yet nothing has been communicated to the world, from which their sentiments can be known or even inferred. This silence is the more remarkable, as they had given their testimony in the case of the St Croix; and, if similar testimony had been proffered in relation to the north-eastern boundary, it could hardly have failed to produce a speedy settlement of the question. Until the opinions of these commissioners can be ascertained, from undoubted authority, it is neither just nor reasonable to throw the burden of error upon Dr Franklin.

"In escaping from this labyrinth of conflicting maps, we shall remark only, that it affords another proof of the wisdom of the course adopted by the negotiators, in setting aside the old controversy, and seeking a new arrangement upon the untried and pacific principles of a compromise."

We have nothing to add to the above statement, which fairly explains all that we thought it desirable to say by way of post-script to our former paper on this subject. We may, however, express our gratification that this question of international dispute has been treated on the other side of the Atlantic in the fair and temperate spirit which characterizes the whole of the article to which we have referred in the '*North American Review*.'

ART. XI.—*The People and the Church of Scotland.* A Reply to Sir James Graham and the Government. By J. White, A.M. Sherwood.

THREE years ago we wrote and published an article in this Journal, saying why we thought the Kirk had strong claims on the help and sympathy of every friend of Reform.

At that time this was assuming an unique position. Letters of remonstrance poured in upon the editor. It was deemed necessary to vindicate the article. Many Radicals and Voluntaries could find no better solution of the circumstance than a love of singularity in the writer. Parliamentary Radicals, astonished to find a journal to which they defer taking a course beyond their appreciation, could do nothing but lift up their hands and eyes in amazement.

Three years have elapsed. Whether we or our various critics best knew the men and the principles involved in the subject has been made clear by what, three years ago, was the darkness of the future.

It is a singular satisfaction to the writer, both for himself and the friends who relied on his judgment, that events have justified every one of his views and realised all his anticipations. Differing entirely as he did from almost all the ablest and most experienced men of his party, it will not be egotism, but justice, to show that a love of truth, a knowledge of his subject, to which he could not be false, and not a conceit of singularity, impelled the writer to maintain his unique proposition of friendship to the Kirk.

Liberals who had known sceptics become parsons for the sake of tithes, manses, and chalders, might well be excused when their own minds were imbued with the ideas of the French Revolution if they exclaimed, "Ah! we have no faith in parsons!" But we declared our faith in the evangelical parsons of the Kirk. We rebuked the narrowness which calls every kind of honesty dishonest except the kind peculiar to the accuser. Against the bigotry which would not allow them to be honest because at first they did not agitate for the abolition of patronage, or immediately separate from the State, we maintained the wisdom of practicalness, and the honesty of practical men who do the best they can, seek the best they can get, and love a small good which is to be had better for the nonce than all the grand unattainable abstractions out of St Luke's.

Nobly have the evangelical parsons vindicated our belief in their honesty and sincerity. About five hundred of them have resigned permanent for precarious incomes, embraced a lower status in society, consented to live on one-half of their former stipends, and disdained a hundred thousand pounds for the sake of their ecclesiastical principles. Knowing from intimacy at school and college, in the play of boyhood, in the business of manhood,—aware long before 1840 that the evangelical Kirkmen were earnest and honourable men, who meant what they said,—it was not a love of singularity, but simply an avoidance of a shameful deviation from veracity, to declare the faith which we had in these parsons.

We were told it was a mere struggle for power on the part of the clergy. Their popular cries we were loudly told were mere crafty shams and delusions to hide selfish ends. Nothing could drive this baseless idea out of the heads of the Radicals. It was not an induction from evidence, else a larger and closer scrutiny of the facts on which it rested would have destroyed it. It was in vain to ask these men to look at facts, they could not see them, because their eyes were blinded by the passion of hatred, of which their accusation was only the expression. All over Scotland, as vacancies arose in parishes, the people found that their will had come to be, and the patron found that his will had ceased to be, the dominant thing in the appointment of the pastor. But this fact was disregarded. It was in vain to ask the parson-haters to remember that when the Moderates intruded presentees at the point of the bayonet it was the will of the aristocratic patron which lorded it over every other consideration; and so determinedly blind were they, that there was no use in showing them that by the Veto Act the popular will, expressed by the Vetoing cards of communicants, had obtained the ascendancy. The General Assembly gave the election of elders to the people, thus enabling popularly-elected laymen to outvote the clergy in all the church courts. The opponents of the Kirkmen could not be made to see that the whole movement began in a desire on the part of the clergy to satisfy the Scriptural convictions of their people respecting the influence that they ought to have over the election of pastors. Instead of being agitators for clerical power, the clergy were themselves agitated by popular demands, their communicants requiring them to provide for them a voice in ecclesiastical affairs as the only means of preventing them from joining the Dissenters, among whom they would have the power both of electing and ejecting their pastors.

It might have been acknowledged, without any very great

stretch of candour, that an agitation for popular power in the admission to benefices was not a very likely scheme for adding to clerical power. The aim of the movement was to wrest power from the aristocracy, and give it to its rightful owners, the people. The friends of popular rights ought all along to have helped the Church in her struggles. To give the people who previously were scarcely consulted a right to say no—a veto, when they had no such thing before for a century, was plainly to increase their power, and decrease the patronage power. Yet the great majority of journals in Scotland which profess to support the cause of the people, occupied themselves in vilifying and defaming men at whose hands aristocratic power has sustained greater reductions—from whose hands democratic power has received larger accessions, than from any other men of the present generation in Europe. To make lords less and men greater, are the professed objects of the Liberal press; yet the tendency of the labours of most of them were conservative of aristocratic church power. Surely the communicants are worthier depositaries of the State control over the State-paid Church than the patrons. Let it be granted that, if the State *pay* the clergy, the State ought to *choose* them; if the nation supports them, the nation ought to decide who they shall be. Certainly Liberals cannot consistently maintain that the aristocracy are to be considered the State—the patrons—the representatives of the nation. Popularly elected town councils are not the only patrons. Most of the patrons are landholders—men whom Liberals cannot receive as the representatives of the people, nor regard their interests as identical with those of the nation. It is rare Liberalism which would entrust State control over State-paid clergy to an irresponsible aristocracy, rather than to the communicants who belong to the people and are identical with them in all their interests. Who are most the State? The few patrons or the many communicants? In whose hands is any portion of power best placed? The few or the many? According to the opinions of all Liberals, the aristocracy are less identified with the State than the electors or communicants, and are less worthy depositaries of power. But in Scotland, and in some cases in London, the argument of State-control over the State-paid was used by Liberal journals in a way which favoured the aristocracy and injured the democracy in the distribution of Church power. If there is any truth in the professions of Liberals and Radicals, the ecclesiastical democracy of Scotland are the rightful owners of Church power in the appointment of pastors. But in the recent controversy the clergy have been the champions of these popular rights, and their opponents have been the professedly Liberal

press—the men who claim for themselves on all occasions the honorable character of friends of the people.

The pretext under colour of which the Liberal press have masked their hostility to popular Church power has been hatred of clerical power. By the way, it will not do for them to tell us that they were friendly to giving the election of ministers into the hands of all the ten-pounders in a parish, Churchmen and Dissenters. This was never feasible; and our argument is that the Kirk communicants were more entitled to be regarded in the State than the patrons, that the contest for the power was between the communicants and the patrons, and that therefore it was the duty of the friends of popular power to aid the democratic rather than the aristocratic claimants. The hatred of clerical power—the outcry against priestcraft, which these journalists assume to be a praiseworthy feeling, was itself in this case an illiberal, anti-popular, and anti-democratic thing. When the people have a voice in the election of ministers, whether in the shape of a no or an aye, the clergy can exercise over them only the legitimate influences of wisdom, knowledge, and character. The noblest influence one man can exercise over another—the most legitimate, desirable, and beneficial, is the power of convincing his reason, of giving him convictions, and determining his conduct by quickening old or kindling new principles in his heart. To give men moral and spiritual theories for the guidance of their lives is the highest and most dignified occupation which genius and talent can accomplish. Man cannot do nobler work. If the clergy implant in the minds of the people their own views of Church politics, and the people apply those views to the election of ministers and elders, to vilify this process either *quoad* the clergy by calling it spiritual despotism, or *quoad* the people by calling it religious gullibility, is to blaspheme those holy processes of thought appointed for the elimination of all that is good and beautiful in civilization. When men talk of the liberty of the press they mean by it the right of one man to form the convictions of many men in the department of morals called politics. But is the press the only legitimate disseminator of moral convictions? Are the lords of the pen no longer content with sharing this power with the occupants of the professorial chair and the orators of the pulpit, setting up the pretension that this power of disseminating convictions is legitimate only when used by themselves? Two centuries ago the clergy wielded the power of forming the convictions of the people in the morality of politics as well as in the spiritualities of religion. It seems as if the new power were becoming intolerant of the old one, and newspaper editors, after stripping the

clergy of their political functions, were resolved to set up in their stead, as also the instructors of the people in spiritual concerns. All that can be required of any men is that the power they seek over others shall be the power of mind over mind, of genius over intelligence, of intelligence over ignorance, and of integrity over selfishness. With a negative or an affirmative power lodged in the popular body, the people who aspire to lead them by convincing them, and to rule them by doing them good, are not actuated by a base but by a most honourable ambition. Instead of the fact of their aspirations entitling them to be abused, they give them claims on the gratitude and affection of their fellow men. We shall be prepared, ere we conclude this article, to show that even if the objects of the Evangelical party had been purely clerical, without a particle of popular aim in them, they would have been entitled to the help and sympathy of every man capable of taking enlightened views of the interests of civilization. But in the present case the clergy reserved no power for themselves, except the legitimate influences of superior wisdom. They sought to make the people their patrons. Their object was to make the communicants their masters in the matter of appointment to benefices. When the Liberal journalists opposed and vilified them, they so far betrayed the cause of popular rights, and outraged the great democratic idea of fair play to talent—of the Right of the Fit. In this case, in so far as Liberalism would make the poor stronger, these writers were false to it—in so far as Liberalism would establish the authority of justice and wisdom they thwarted it.

Our purpose in recapitulating these arguments is to direct attention to, perhaps, the most extraordinary phenomenon exhibited by the Kirk question in Scotland. We leave it to others to be astonished that five hundred disinterested parsons have been found in Scotland. Our surprise has been excited by the exhibition of a disregard of professed principles by the Liberal press, quite as extraordinary as the sacrifices of the free Kirkmen for their conscientious convictions. When, three years ago, we maintained the duty of helping the Kirk as the popular cause, amidst the numerous notices with which our article was honoured there was not one single attempt made, though some were promised, to contest the ground with us by argument, foot for foot, and inch for inch. We did not maintain a singular opinion: most of the gentlemen of highest reputation in London as interpreters of Liberalism and Democracy coincided in our views. They thought it impossible by any logical process for Liberals to take any other course than the one we recommended. At the general election almost all the Liberal candidates adopted the

views we had promulgated. Those who did not were unseated in burghs, and some of those who did won counties. Yet, with few exceptions, in spite of its principles, the Liberal press took an opposite course, and the Non-Intrusionists were obliged to set up journals of their own.

To explain this strange fact; the Liberal journalists were actuated by a feeling stronger than their love of the rights of the people or of fair play to talent. They were animated by a hatred of Evangelism. An observer, unsurpassed in this age for his acquirements in the philosophy of politics, exclaimed to us—“How much more true the newspapers have been to their infidelity than to their democracy!” We may remark that the infidelity to which these gentlemen have been true is not the most liberal or enlightened kind of it at present to be found in Europe. Theirs is a bigoted hatred of earnest belief—the feeling with which the courtiers of Charles the Second regarded the convictions of the Puritans; the hatred of a De Grammont for Cromwell; the fanaticism with which a Voltaire might have regarded a Wesley. To the most enlightened sceptics of London and Paris, fervid Christianity appears to be venerable and beautiful, the divine element in modern history full of blessings to society. They do not scoff—they perhaps envy the men in whose hearts Christianity is enkindled as a living fire. Among the Scotch journalists, however, the scriptural principles which have quickened in the hearts of their countrymen, and led in our day to so many instances of devotion to duty—to so many touching sacrifices for the cause of God, are regarded as things to be covered with contempt and crushed with ridicule. Sixty years ago Robert Burns was abreast of the literary and philosophic spirit of his age, when the satirist of Evangelism he wrote his ‘Holy Willie,’ and his ‘Holy Fair:’ but the Scotch journalists, who feebly express his spirit and repeat his jokes, are two generations behind *their* age. Their political philosophy belongs to the last century. Like the Protestant parsons at Rome, who are said to have gone to learn the Protestant religion from the Pope, they acquire their notions of faith from unbelievers, and study Christian history under David Hume, the infidel. ‘To be just to a faith, or to the believers of it, you must have loved it or them. Tell us where a man’s contempt begins and we will tell you where his ignorance begins. Of the spirit of Robert Burns these journalists have caught nothing but the satiric part of it. They feel not with him the beauty of the scene described in his ‘Cottar’s Saturday Night,’ nor the emotion which gushed up in the heart of Robert Nicoll at the mention of the Big Ha’ Bible.

Scotland is called a religious nation. Presbyterianism, it is

said, has protected the Scotch from scepticism. Unlike the countries in which Catholicism has continued the religion of the State, Scotland, they say, has never produced a Voltaire. But David Hume was an Edinburgh man. The brilliant philosophers and literary men who made Edinburgh the mental metropolis of the empire towards the end of the last century, were sceptics to a man. Nowhere is earnest piety treated with more unsparing ridicule than in Scotland at the present hour. In Paris, in London, in Berlin, and Vienna, there is abundance of disbelief of Christianity, but nowhere is vital faith in it treated with less respect or encountered with a more unflinching hostility than in Presbyterian Scotland. But, in fact, Scotland is not Presbyterian. A million of Voluntaries, Catholics, and Episcopalians,—a million of Free Kirkmen who have just left the Establishment,—and a million of persons avowedly unbelievers, or mere rational gentlemanly adherents of the Establishment,—these make up the three millions of the Scotch. Hence the explanation of the course pursued by the Liberal journalists. In opposing the Evangelical Kirkmen they were giving utterance to the principles and passions of two-thirds of their countrymen, the million of Dissenters hostile to the Evangelicals on the principle of Establishments, and the million of Moderates hostile to them on account of their vital Christianity. Looking on Establishments as the pieces of silver given the Church for the betrayal of her Lord, the Voluntaries denounced the Evangelicals as corruptors of Christianity. The sceptics abused and vilified them as fanatics who would restore the black despotism of superstition. A common Christianity was not so strong to unite as a difference about Establishments was to dis sever the Dissenters from the Evangelicals. Common democratic tendencies could not prevent men from encountering each other as enemies—to one party of whom Christianity is The Truth, while to the other party it is Fanaticism.

We extract a sketch of the nature and history of the principles involved in the Kirk question from a recent tract.*

The point at issue in Kirk affairs is, whether the will of the patron or the will of the communicants shall be the dominant thing in making the licentiate the pastor of the parish. Out of this question another has arisen—Whether the clergy are liable to civil damages for what the law courts deem wrongs of commission or omission in their ecclesiastical procedure.

The non-intrusion struggle is part of the battle between aristocracy and democracy. The power of making parish ministers is the thing contested. Who shall lord it over the process which makes a licensed preacher a parish pastor? This is the point of

*. 'The Fall of the Kirk,' by Mr John Robertson.

contention between the patrons and the communicants. Whose will shall be clothed with the dominancy of the matter; the will of the Home Secretary of the day, and a small body of the landlords, or the will of the recipients of the eucharist in the parish—the patronate or the congregational will? In the name of the law and the civil courts the patrons claim the dominancy for their will. The communicants by the Church Courts maintain, in the name of the Constitution and of Christ, that their will ought to be dominant in making the preacher the pastor.

The contest and the claims of both parties are old. History shows that each party has had its victories. Law also shows the fact in an abundance of contradicting statutes.

Just as certainly as the Revolution settlement placed William of Orange on the throne, did it establish the Kirk on a basis of non-intrusion and spiritual independence. Strike the Act of Anne out of the statute-book, and the dominancy over the appointment of pastors reverts to the communicants. By this Act the Jacobites regained the powers which the settlement of the Constitution had given to the Kirkmen, and, to borrow a phrase from the French, effected a counter-revolution. It is one of the most curious of historical episodes.

Shortly after the union of England and Scotland, two ladies were seated in familiar talk in an apartment of the palace of St James's. They called each other Mrs Morley and Mrs Feeman. The door was loudly and familiarly unlocked, and an abigail came tripping across the floor with a bold and gay air. Suddenly recognising a person she did not expect, she stops short, and drops a grave curtsy, like a player, to the haughtier-looking of the ladies. She then turned to the stout, dark-haired, and easy-tempered looking lady, and, without a curtsy, says to her, in a faint, low voice—"Did your Majesty ring, pray?" Thus did the abigail betray the ascendancy she had acquired over her royal mistress. The haughty lady, honoured with an obeisance before her Queen, was Sarah Duchess of Marlborough. The dark-haired, stout, and easy-tempered lady was Queen Anne. The abigail was Mrs Hill, afterwards Lady Masham, a poor relative of the proud Duchess, the daughter of a bankrupt London merchant, a Baptist by religious profession, and a humble dresser in the court. Her object in seeking power was chiefly to marry the man she liked. This scene first showed the Duchess that her day of power was over,—this scene was the first sign of a change of imperial power. Henceforth, for four years, the abigail was the sovereign ruler of the British empire. Anne was the nominal, the dresser the real Queen. Writing of the ministry which the abigail brought into place and power, instead of the cabinet to which he belonged himself, the Duke of Marlborough, in one of his letters, says, the only persons who

really have power are the abigail Masham and the premier Harley. In the end, the abigail who made unmade the premier. Well did the clear-headed hero of Ramilies and Blenheim know that he had been defeated, degraded, and ousted by the abigail. The accomplished, worldly; lazy, jocular Harley might be the intriguer,—Bolingbroke, a brilliant, superficial profligate, an English Alcibiades, in a peruke,—Don Juan might be the orator, and the proud and fitful humorist—the bitter-hearted and iron-headed Dean Swift, might be the journalist of the Tory Government—but the dictatrix who could make or destroy them all was Masham the abigail. To help Episcopacy and Jacobitism in Scotland, the Tory Government made short work of restoring patronage in the Kirk. In the towns and among the hills of Scotland, a thousand clergymen were peacefully pursuing the round of their duties, relying for their privileges on the treaty of union. The Kirkmen expected no evil. But Scotchmen were put forward in Parliament by the Masham ministry to break the treaty of union. In six weeks an act was hurried through both houses, which, as has now been decided by the courts of law, took from the Kirk courts their *liberum arbitrium*, subjected the co-ordinate power of Presbytery to the civil courts, broke the union treaty of two nations, and fastened the iron yoke of lay patronage on the necks of the Scotch. In three years after the royal sceptre had touched the treaty which guaranteed the inviolability of the Church of Scotland, the Church was violated by this abigail act.

Edinburgh, now only a day distant from London, was in those days a fortnight. Carstares, Blackwell, and Baillie, a remonstrating deputation from the Kirk, hastened up to London. All in vain. Neither the chiefs of the legislature nor the chiefs of the literature of London heeded them. Strong in the support of the court, the Tories carried everything before them. Few listened to the ideas of the Covenanters, when the French *bel esprit* was the mode. Small heed was given to the Presbyterian claims of spiritual independence by the clubs, which were then enjoying the humours of Sir Roger de Coverley, and the wit of the young poet of the ‘Rape of the Lock.’

Carstares, a man whose thumbs had been screwed for Whiggery, had a mastery over none but Kirk ideas. He returned to Edinburgh to persuade the Kirkmen to be thankful that the General Assembly itself had not been abolished. His was not the mind to see the advantage to the wronged, when their oppressors add to the reality the conspicuous appearance of oppression. The temporary abolition of the General Assembly would have ensured the repeal of the abigail act after the death of Anne.

For seventy or eighty years the General Assembly, at every one of its meetings, entered into a solemn protest against the breach of the treaty of union. At first the protest was a reality, in the course of years it became a formality. Lawyers now tell the Kirkmen they lost their privileges by their own slackness or *laches*. Perhaps a vigorous agitation begun in 1711 might have enabled the Kirkmen to gain back their rights. But it would have strengthened the Jacobites by swelling their ranks in 1715 and 1745, with discontented Presbyterians. That the Kirkmen did not agitate this question, when to do so would have endangered the succession of the House of Hanover to the throne, ought not to be deemed a fault, while the name of our sovereign is Guelph, and not Stuart.

The act of the ministry of Harley and Bolingbroke soon filled the Kirk with men of kindred spirits with their own. Scepticism became the fashion of the age. Of the clergy produced by the abigail act, an idea may be formed from the character of their type and representative—William Robertson. The men hostile to the spirit and the ideas of the Kirk of Knox, who became pastors under the abigail act, called themselves — Moderates. William Robertson was the flower of Moderatism. The morning of the 30th of May, 1751, saw the churchyard of the parish of Torphichen thronged with rustics in their sabbath clothes. With sorrow and indignation they were to witness the settlement of a pastor over them in the teeth of their continued and universal opposition. A cavalcade of merry clergymen came riding up, headed by Mr William Robertson, the minister of Gladsmuir. He was a man about thirty, with a countenance which he has transmitted to his descendant Lord Brougham—altogether an active, keen, bright look. The cavalcade of clergymen were flanked and surrounded by a troop of dragoons. As the troopers and parsons dashed among the people, tradition says Captain Hamilton, of Westport, drew his sword, and shouted, "What! won't ye receive the gospel? I'll swap aff the head o' ony man that 'll no receive the gospel." Thus did William Robertson proceed to bestow the spiritual office. Many years elapse. He is the chief of the Kirk. He has won the crown of history. Writing to Gibbon in his days of celebrity, he gives the clue to his conduct when the dragoon heading intruder at Torphichen. We find Principal Robertson the chief of the Kirk, congratulating the historian of the 'Decline and Fall' on his skilful management of superstition and bigotry in his chapters on Christianity. He thus gives us a glimpse of the moral theory of which the Torphichen intrusion was the application. The congratulation to Gibbon, and the dragoon ordination, were only the abstract and the concrete of the same thing. David Hume once named, for the

recommendation of Dr Robertson, two persons for Kirk offices. Respectable, amiable, useful, and gifted a sceptic may be, and we know several who are—but sceptics receiving the pay of faith—why, it will take much logic to make honest men of them.

The spread of Methodism during the end of the last and the beginning of the present century, and the reaction against the sceptical philosophy which forms so remarkable a feature of the age, changed the spirit of the clergy of the Kirk. The reaction against the philosophy of the eighteenth century, which in England has given expression to itself in Coleridge and Pusey, is represented in Scotland by Chalmers. About the year 1834, the majority of the clergy of the Kirk, quitting doubt and imbibing faith, forsook the patrons for the people. The spirit of John Knox became dominant once more in the church which he founded. The ascendancy passed away for a few years from the men animated by the spirit and principles of William Robertson.

Ten years ago a controversy raged in Scotland on the connexion between Church and State. One of its results was, it quickened the conviction in the Evangelical clergymen and laymen of Scotland, that the settlement of pastors in parishes was a matter in which patrons ought not to have unrestrained power. This controversy brought out more clearly than ever the fact that in the New Testament the settlement of pastors is an affair between the clergy and the Christian society, with which the aristocracy have no scriptural right to intermeddle. The voluntary controversy enkindled this bit of the New Testament in the hearts of the pious Kirkmen. Hence the Church resolved not to allow patrons to *intrude* pastors.

This was the origin of the non-intrusion controversy. When the General Assembly declared there should be no more intrusion, it was generally thought they had a perfect legal right to do what they did. A Scotch judge proposed, the crown lawyers of the day approved, and Lord Chancellor Brougham applauded the declaration.

But mark the mournful farce of the law. The legality of non-intrusion has been tried. Five Scotch judges have maintained the view of the law which enabled the Evangelical Kirkmen to obey their New Testament convictions respecting the settlement of pastors. Eight Scotch judges have decreed the opposite, and a great deal more. The House of Lords, as the last court of appeal, found the Scotch clergy bound to ordain at the bidding of the civil courts. When the affair began, it was commonly thought that the spiritual courts could restrain the civil courts in the settlement of ministers. It has been decided that the civil

courts can control, forbid, and command the spiritual courts in all spiritual things ; ordination, preaching, sacraments, and excommunication. Men with the New Testament alive in their hearts could not submit; they therefore separated from their temporalities, and left an establishment which forbade them to obey in their spiritual procedure the Lord Jesus Christ—and commanded them to obey the Lord Chancellor Lyndhurst.

The grossest notions prevail respecting the principle of spiritual independence. Historically we might show that this principle has rendered the noblest services to civilization. Philosophically it might be identified with the freedom of inquiry essential to the progress of science. Politically, it is the ecclesiastical aspect of that mental freedom on which so much eloquence has been expended, when called the Freedom of the Press. In fact, whether Sir Robert Peel and Lord Lyndhurst shall prescribe to Scotch Kirkmen their religion, or each man, after studying the Bible for himself, and being persuaded in his own mind, decide for himself, is the question for which five hundred clergymen have sacrificed their endowments, the principle for which in a few months, in a season of commercial distress, the Evangelical Kirkmen of Scotland have subscribed 300,000*l*.

Noble as the conduct of its friends has been, the principle itself is nobler still. Spiritual independence is not merely one of the *isms* of a Scotch sect. It is a broad, a universal, a catholic principle—as old as Christianity itself, and held as a glorious and all-important doctrine by all the sincere men who have ever laboured or suffered for Christ. Paschal the Third wished to give up his endowments for it a thousand years ago. But it is not a principle peculiar to Christians. It is dear to all who love to be spiritually free. A Comte can contend for it as well as a Chalmers. That the moral and spiritual theory by which a man is to guide himself in life shall not be a prescription of statecraft but the adoption of a free and earnest soul:—this is the very vital idea of all individual and social civilization. It is the first want of clear spirits. Nor is the importance or the nobleness of the principle lessened by the fact that in the case of the herd of men it can mean only a liberty to choose among the creeds which other and abler men draw up. Genius alone can enjoy aught of the highest freedom of the soul. Genius alone can attempt that work of fear—asking the Universe questions respecting the Great Spirit of it. But the freedom—the independence, is for all. The spiritual views of genius ought to be free for the sake of human advancement. All men ought to be free in spiritual affairs, because whenever they are in earnest in them they will be free or die. A crawling thing is the soul of that man who could take his spiritual theory

from a Peel or a Wellington, or submit in his spiritual actions to the dictation of a Lyndhurst or a Brougham. Yet this submission is the meaning of the supremacy of the state in all things. Largely and broadly viewed, spiritual independence means the right of every man to form and to fulfil his convictions respecting his moral and spiritual affairs. True, what the Non-Intrusionists contended for was the spiritual freedom of the Kirk. They struggled for their own highest interests. But the principle is all-important to all men. Free Kirkmen cannot confine it to themselves. They have been the martyrs of the general principle of spiritual independence by contending for free action in obedience to their own spiritual theory; a peculiar modification of Christianity. But the principle is the bulwark of all sincere spiritual belief, and the universal recognition of it would be a grand step in furtherance of civilization.

Now it is most important to observe that no Christian church in England deems the connexion between Church and State virtuous on the condition of the enforcement of spiritual offices by civil damages. Yet this was the condition imposed upon the Evangelical Church of Scotland.

It is difficult to give an idea of the effect of the adverse decisions of the civil courts on the spiritual liberty of the Evangelical Kirk. Suffice it, they gave the whole clergy and people of the Kirk less power over the collation of a layman to the cure of souls than is now possessed by a single English bishop. Unlike the bishop, the clergy were prohibited from refusing to make a layman a spiritual person, on pain of rebukes, damages, and imprisonments. Until recently, all that the civil courts could control was the temporalities, they have lately controled, commanded, and enforced the spiritualities.

Observation of the course of the law in the progress of this controversy is not much calculated to increase our reverence either for the law itself, or the functionaries who administer it. After careful perusals of the acts of Parliament involved, and the learned arguments founded upon them, the conviction fastened on most clear-headed and impartial men was, that the law of the question was a heap of contradictions. Most unquestionably, close inspection of the decisions and speeches of the judges reveals abundance of blunders. The most eminent Non-Intrusionists justly complain that the civil courts have confounded the difference between constitutional and what may be termed administrative law. The one; say they, assigns the functions and limits of the respective courts: the other lays down the rules or methods by which they are to determine on the proper subjects which have been respectively allocated to them. Now our Court

of Session, and of course the House of Lords, when acting as its appellat court, were limited to things civil—our Church Courts were recognised as distinct and unfettered in things ecclesiastical. If any question included both, their conflicting decisions were followed by civil and ecclesiastical effects, which were incongruous, no doubt, but did not come into collision, as when the rejected presentee, or his patron, got the stipend, and the Church Courts filled up the vacancy by a stipendless minister of their own. Now how say they does the matter stand? Our constitutional rights were secured at the Revolution settlement. Twenty years after this an act passed on the subject of patronage. A hundred and thirty years farther on the discovery is made of what no one suspected before (neither lawyers nor ecclesiastics), that in this act there lay what was only brought out for the first time by the House of Lords—a direct infringement of our prior constitution. Was it not then the duty of the Legislature to remedy their own blunder—their own law? And is not their refusal to do so a direct breach of national faith? Such are the just complaints of the Non-Intrusionists when required, in spiritual affairs, to disobey the Lord Jesus Christ in obedience to the Lord Chancellor Lyndhurst. No wonder, though the interdicts of the civil courts were torn in pieces, and the fragments trampled under foot, amidst the applause of large assemblies. No wonder, though the Whig Lord-Advocate Rutherford, and the Tory Lord-Advocate Rae, thought it prudent to inflict no punishment on those who treated interdicts of the civil courts, respecting preaching and sacraments, with the most contumelious scorn.

As a specimen of the blunders of the law lords, we may mention the decision in the Auchterarder case. They found the Presbytery astricted, and bound to take the presentee on trials, which was precisely what had been already done. The first part of the trials by the constitution of the Church of Scotland is preaching “trial sermons” before the people. The presentee was rejected because he had failed in his trials. Yet the absolute wisdom of the law lords found the Presbytery bound to do what they had done. Mark another odious feature of this decision—the case with which men, appointed to administer the laws, usurp the function of making laws. Because the act of Queen Anne said the Presbytery were bound and astricted to receive and admit the presentee, after taking him on trials, three or four lords, on their mere wills, took it upon themselves to say, for the first time, what had never been said during the hundred and thirty years since the passing of the act substantially, that the Church Courts were bound to *ordain* the presentee. This was judge-made law with a vengeance. Had the most powerful

minister this country has ever seen, a man who held between his finger and his thumb the fortunes of a hundred law lords, brought in with due form a bill to compel clergymen to confer spiritual offices at the bidding of civil judges, he would have failed in the attempt amidst the derision of all sincere men in Europe. But three or four law lords effect the purpose themselves of a morning—without warning, without opposition, without rendering a reason, by a little skill in the management of legal quiddities—men on whose minds the study of the law has exercised all the narrowing and debasing influences by which it converts immortal spirits into quibbling machines—establish a principle new to the law, and monstrous in the view of common sense, and by doing so inflict, blindly, the heaviest blow given in this day to all the institutions of the country, disrupt the most useful and honoured of Established Churches, and throw upon revolutionary courses and convictions a million of Scotchmen, whose religious position previously made them the natural guardians of order and the constitution. In proportion to the worthlessness of the thing for which they claim obedience is the loudness of their cry—"obey the law." In the House of Lords, on this question, a claptrap sure of cheers was any allusion to obedience to the law.

Mark what the thing is for which claims to obedience are set up. After their decisions have compelled five hundred clergymen to leave the Establishment, and when, according to Lord Aberdeen, one hundred and fifty more have almost resolved to follow, a bill is passed in the House of Lords to declare what the law of the matter is. Most of the Scotch judges authorise Lord Aberdeen to say they deem his bill a very exact statement of what the law is at present. On this up start three of the ~~four~~ English judges whose decree expelled the Free Kirkmen and say, "If this bill is exact, if the Scotch judges are right on the Scotch law, we were quite wrong in our recent decision." It is not surprising that the law lords felt the sting of the disgrace with which this act covers them. Rannour says, that so conscious were the Cabinet of the shame with which Lord Aberdeen's Scotch Kirk Bill clothes the law lords, that he induced them to support it only by a threat of resignation, and consenting to call his bill at the same time declaratory and enacting, that is, a statement that the law precisely is that, certain, which it precisely is not.

The conduct of the chiefs of political parties respecting this question has been as little to their credit as the quibbles, blunders, and usurpations of the lawyers have been honourable to them. The principles of Whiggism led Lord John Russell to take, in his letter to the Scotch electors in the city of London, a position in

accordance with the interests of his party. In that letter he declared himself in favour of the ecclesiastical rights of the people. When the letter of Sir James Graham, in answer to the moderator of the General Assembly, appeared, the statesmanship, which forms a part of his nature, enabled him to regard with due scorn a document in which a minister quibbles when he ought to deal with facts, is polemical when he ought to be political, and tries, by obtaining victory in the use of dialectical foils, to get over the difficulties which arise in a stern crisis of national affairs. Lord John Russell is too able and too real a man to look with complacency on a Home Secretary who chopped logic when he ought to have warded off a great national calamity. He could not applaud a man, nor praise a Cabinet, who fiddled before a burning Church. But unluckily the averments of one or two Scotch Liberal members, whose opinions are entitled to deference on the subject of whiskey-punch and nothing else, induced Lord John to believe for a few days that the Convocationists were not sincere in their resolution to leave the Establishment. Under this belief he made a speech unworthy of him, in opposition to the hereditary principles of the Whigs, and inimical, if not fatal to the interests of his party. Why did he not in the debate on Mr Fox Maule's motion express the contempt he felt for the letter of Sir James Graham? Why did he not speak on that occasion in accordance with his own better judgment, and the advice of the ablest of his friends? Why did he thus produce a contradiction between that speech and the sentiments of his letter to the Scotch electors of London?

In his letter to the Scotch electors in the city of London, Lord John declared he would willingly give his concurrence to "a bill properly guarded, and which should secure, on the one hand, the opinion of a deliberate majority of male communicants, and which shall, on the other, provide not for the mere assent, but the conscientious examination of the rejection by the Church Courts." All that either the principles or the party interests of the leader of the Whigs required, Lord John Russell avowed in this letter. He declared himself in favour of the two principles involved in the question, and essential to a satisfactory settlement of it. He saw with the eye of a statesman that the people of the Church, if it were to retain their affections, must have a power in the appointment of their clergymen, and therefore he was willing to secure the deliberate opinion of a majority of the male communicants. Not deluded by declamations about the ecclesiastical power lording it over the civil, Lord John Russell saw that all the power the Church Courts really wanted was the power of conscientiously fulfilling the rejection of the communicants. It

is greatly to be regretted that any asseverations, however confident, should have led Lord John Russell, even for an instant, to depart from the wise, consistent, and statesmanlike positions of this letter. We heard the Scotch liberals, on whose statements he temporarily relied, declare, one week before the 18th of May, that the number of clergymen giving up their endowments would not exceed six—a mistake almost of units for hundreds.

In 1840 we declared our conviction that the bill of the Earl of Aberdeen, though then apparently withdrawn for ever, only lay couchant, waiting the advent of a Tory Parliament and a Tory Administration. "The first hour of a Tory ascendancy in the Legislature," we said, "will quicken it into life." It is one of the few bills which ministers have professed themselves resolved to carry through the Commons this session. Aught more despicable than the conduct of ministers in their legislation for the Kirk has not occurred of late years. Lord Aberdeen promised to Dr Chalmers a bill which would legalize non-intrusion, and enable the Presbytery to reject a presentee on the most frivolous objection or dislike of the people. His own instance was though the dislike might be grounded on nothing more reasonable than an aversion to red hair. Instead of such a bill, the one he brought in did not allow the Church Courts to reject the presentee on the dislike of the people, however well-founded, unless for reasons likely to be satisfactory to the civil courts. By fulsome flatteries he endeavoured to cajole Dr Chalmers into an acquiescence in his breach of promise, and knowing that that great man, from his experience in the negotiation, was forced to exclaim, "The morality of politicians is the morality of horse-jockeys," he took the initiative in fault-finding, and accused, in his place in the House of Lords, his reverend correspondents as unscrupulous and dishonest.

In the first session of the present Parliament the efforts of the Tory ministers were devoted to the suppression of discussion. Four times was discussion shirked. Kirkmen in their senses hoped for no other advantages than discussion from the bill of the Duke of Argyll and Mr Campbell of Monzie. Discussion was the only good the Kirkmen expected, and Peel refused it. Discussion was the only harm their enemies had to dread, and Graham screened them from it. As the meeting of the General Assembly approached, and the Government was decidedly opposed to the very smallest measure of concession with which the Church could put up, a declaration of the Assembly against the Government was dreaded and staved off as adroitly as possible. Graham came down to the House breathing attachment to the Church of Scotland, and begged for only six weeks of delay to

enable the Government to prepare a final and satisfactory feat of statesmanship. The Cabinet knew the meeting of Assembly would then be over. Vague professions of friendship of the warmest kind were uttered. Mr Campbell, the friend of the Veto, left the Church confidently in such good hands, and Conservative Non-Intrusionists nodded their heads, and said Peel was now enlightened, and they had reason to hope all would be well. The last Assembly in which the Evangelical party joined in the deliberations was opened with great pomp and many gilt coaches. Many hopes hung on the sage head of Sir Robert Peel. Mr Emerson Tennent, to carry his election, had held out the fairest and falsest promises to the Presbyterians of Belfast. The Rev. Dr Cooke, a man who encases the soul of a Jesuit and an Inquisitor in the mean practices of a bigoted Protestant Presbyterian and Tory partisan—this vain-glorious demagogue, who has justly fallen into general contempt, assured the public that he had reason to believe that the Government would introduce a satisfactory measure. So generally were delusions spread abroad at this time, that it was rumoured that Lord Justice Hope had assured Dr Candlish he would consent to a settlement even on the basis of the call of the people. The indulgent fancy of partisanship, which covers more sins than charity, imagined that from a Cabinet the dominant minds on Scotch affairs of which were Graham and Aberdeen, the fierce foes of the Evangelical party, a measure of concession would come for the healing of the sore evils of the suffering Church. Shrewd observers said, that while the Church could not bring an overpowering pressure to bear on the party interests of the Tories, it was folly to expect, from men of aristocratic principles and passions, concessions to ecclesiastical democracy. Men, they said, whose lives may have exhibited many derelictions from their principles, seldom display any derelictions from their passions, and the Cabinet was composed of men animated by hatred of Evangelism, and possessed by a double hatred to what we may call Evangelical democracy. Still the Conservative Non-Intrusionists hoped against hope, that their Conservative chiefs would break their words, belie their actions, forswear their principles, and act against their passions, without the pressure of any greater political necessity than the prevention of the separation of a portion of the Evangelical clergy from the Establishment.

During the Assembly of 1842 delusion ruled the hour. To sanguine minds gleams of hope seemed breaking through the dark and gathering embarrassments of the Kirk. On the upper edge of the black and threatening cloud opposed to them, there seemed, to adapt to our purpose a beautiful image from the gifted Hugh Miller, to be gleaming sunlit hues of purple and gold,

destined to disperse it all into comfortable sunshine. Conciliation,

“ Like morning fair
Came forth, with pilgrim steps, in amice grey,
Who with her radiant finger still'd the roar
Of thunder, chased the clouds and laid the winds
And grisly spectres which the Fiend had raised
To tempt the Church of God with terrors dire.”

The delusions of hope prevented the Assembly from declaring against the Government. Graham the zealot against Chalmers in the senates of Glasgow College, the re-announcer of the principles of Aberdeen's repudiated bill, the patron who in no case consulted the wishes of the parishioners in a settlement, the Home Secretary who sent the police to Culsalmond, and the soldiers to Glass, succeeded, aided by the downright gullibility of a few Conservative Non-Intrusionists, with fair words, vague promises, and gilt coaches, in staving off the stern rebuke which his misdeeds had most richly merited; and while shaking in the very face of the General Assembly itself, the repudiated Aberdeen bill managed to stifle the denunciations and remonstrances of that venerable and insulted body. In Parliament discussion was shirked by the technical objection that Mr Campbell had not received the consent of the Crown for the introduction of his bill. Paltry as the formality was, it succeeded until too late in preventing the distressed cry of one of the noblest institutes of the land from being heard by the Parliament and the people of England. Sir George Sinclair, and Mr Colquhoun of Killermont, intrigued with Conservative Non-Intrusionists to betray the Church into a departure from her principles. Forty clergymen were jockeyed into an expression of approbation of a settlement on the basis of a *liberum arbitrium*, which meant a free power to obey the Lords of Session. While the friendly professions of the Peel ministry were loudest their deadly intrigues were rifest. Mr Colquhoun was the fit instrument of these tricks. He is a man who seems to believe in nothing but dexterity. One of the most inconsistent of politicians, he is not content with being a weather-cock, but insists every time he turns in delivering a homily to the congregation below, to assure them he has not changed—which is quite true, for his principle is obedience to the wind. Sir Robert Peel appears characteristically in these affairs, in both the higher and the feebler points of his character. He declared the settlement of the question to be a thing worthy of the ambition of a great statesman. He aspired to win fame by grappling with difficulties. But what perfection is to genius, fame is to mediocrity—a phantom ever to be pursued and never to be at-

tained. His aspirations might have been worth something had a bold nature or a fertile genius backed them. But his sterile nature produced nothing. However often he may have tried to conceive, he had no product. Ignorant of the great moral elements at work, he knew not how to control them. Unacquainted with the characteristics of the Scottish people, he did not believe in the existence of the high principle and heroic self-sacrifice of which the clergymen of the Evangelical party were capable. When listening to his speech on Mr Fox Maule's motion,—calm, artificial, shallow, imposing and plausible as it was—it was evident that his intellect had never apprehended, nor his sympathies realised, the moral powers in fiery action on the question. His speech would have been immensely more statesmanlike had he, before going down to the House, tied a knot on his handkerchief, to remind him now and then of the existence of such a thing as conscience.

When the deputation of Non-Intrusionists had listened to the debate in the House of Commons they became eager to return to Edinburgh to carry on their preparations for the disruption. On the 18th of May the Moderator, Dr Welsh, read their protest, and quietly and silently the men, who alone inherit the spirit of John Knox, took their hats and left the church of their fathers. There was a large crowd in the street outside the church in which the Assembly met. When Dr Welsh, Dr Chalmers, and the body of the clergy appeared outside the door, some of the spectators were about to cheer, but the cry passed round, Hush ! hush ! The crowd took off their hats. As the procession walked arm-in-arm down the street towards the Canon mills, there was abundance of cheering and waving of hats and handkerchiefs from windows, balconies, and roofs. It was a stirring spectacle. Southwards, high on the rock of the castle, the spire of the New Assembly Hall was seen. Eager faces lined the street. Northwards appeared the flashing waters of the Firth and the brown hills of Fife. Those, however, who saw most of the glories of the scene felt—what could not be expressed by cheers or uncovered heads—the very presence of Duty and of God.

It must never be forgotten for a moment that the cause of this act was the prevalence among legislators and statesmen of the doctrine called Erastianism, the principle of which is, that the relations of the clergy to the state imply no greater independence of control than those of soldiers and sailors. This principle is far stronger than Voluntarism or Jacobinism for putting churches into danger. When Archbishop Whateley and Bishop Denison declare their conviction of the absolute necessity for the adoption of some more efficient means for the maintenance of doctrine and

discipline in the Church of England, they are told that an army or navy legislature were just as reasonable a thing as a church legislature, a remark which to be true requires fighting and believing to be the same thing. The party forming the majority of the Church of Scotland were separated from the state by this doctrine—the subserviency of spiritual persons in spiritual affairs to civil powers and civil penalties. It has been remarked, with truth, that the different effects of the voluntary controversy on the Church of England and the Church of Scotland show the difference of the latent genius of these churches. At first, as both were established, they defended the principle of Establishments together, but events developed their different spiritual idiosyncrasies. The English Church develops her tendencies towards Rome; the Scotch Church her leanings towards Protestant Dissent. But the principle for which the Evangelical Kirkmen have suffered is dear to all Churchmen, whether their leanings be towards Rome or towards Dissent, and to all Dissenters and all men in earnest respecting spiritual affairs of every sect, creed, and moral theory. Comparisons may be made between the virtue displayed by the Free Kirkmen on the 18th of May, 1843, and that displayed by the Non-Conformists on the 24th of August, 1662. The Non-Conformists could not act together so well as their modern rivals. The victims of the Restoration saw positive persecution before them, but they had no status in the Church from which they were ejected—they had no spiritual rank in the Establishment. They were required by a particular day to leave the Establishment or to subscribe their names to acknowledgments of error and professions of belief glaringly false—to deny the validity of their own ordination, and conform to ceremonies which they deemed dangerous and wicked. The secular and political authorities required them to do all this solemnly and formally on a particular day. It demands less virtue of a man to refuse to write himself a liar, than to suffer for a high, all-important, and abstract spiritual principle. This latter has been done by the Kirkmen. They who were the majority and the ornaments not merely of the Establishment but of the Church to which they belonged, although high and holy principles were assailed in their persons, were not subject to any such violent and vulgar coercion as that which ejected the Non-Conformists. They are therefore more purely and nobly martyrs for their principles. The suffering endured by clergymen in the picturesque cities, the heather hills, the quiet glens, the storm-circled islands of Scotland, was not a thing from which they could not escape without the forfeiture of common honesty and manhood, but a principle high and holy, identical with

Christianity and civilization, received the voluntary homage of their sufferings and privations. If pastors are exchanging manses for huts, if mothers are looking at their children and wondering about their future bread, if families are leaving what they thought the homes of their lives, if fathers and mothers have to take farewell of the graves of their children, if young probationers have to resign for ever their visions of domestic happiness and moral usefulness—these sufferings have been encountered not because they could not be avoided—these sacrifices of interest and feeling to duty have been borne not because they could not be escaped, but for the sake of a principle which blends the beauty of Christian holiness with the highest interests of human civilization.

On the consequences of this event we have already expressed our views elsewhere so fully that nothing is left for us but to quote them :

“There is a striking contrast between the weakness of the Liberal party in Parliament and the gigantic power of the principles of democracy in the country. A middle class organization, and a thing unheard of before, a distinct working class organization (numbering one thousand prisoners for its principles), are actively employed endeavouring to wrest from the aristocracy their legislative power. A League is agitating everywhere to deprive the aristocracy of their provision monopolies, and their principles have an avowed hold on the minds of the ministers placed in power by the aristocracy. Healthy moral feelings are frowning down even in Parliament itself the aristocratic corruption of the constituencies. In the English Church a body of clergymen have rapidly become the majority, who, having lofty and holy ideals of great prelates, like those who fought the battles of civilization in the middle ages, are resolved to diminish the temporal, to raise the spiritual peers. All the moral life in Britain at this hour is anti-aristocratic. Every mind of genius now ruling the convictions of the age, is either on principle or by tendencies reducing the power of lords. There is not a faith really felt and carried out at this day, but diminishes the aristocratic power. Historical philosophy, as understood by all its students, shows the strong influences of the ocean-tides of civilization in these signs. The lord whose ancestor had life and death on his lips, has little suspended on his now-a-days, except perchance the vanity of tuft-hunters. Yet some dream that the English aristocracy are to continue the only instance of their order un-reduced in Europe. Children build castles on the sand within tide-mark, and fancy they will not be demolished by the advancing waves.

“The most ominous quarrel for the aristocracy is that began in England and completed in Scotland with the clergy respecting ecclesiastical power. The principle of the letter of Sir J. Graham, by alienating all earnest clergymen from connexion with the aris-

tocracy, must in the end wither the arm of lordly power. Ministers are the greatest destructives of the day. When the bulk of the people of the Established Kirk leave her, they escape from her aristocratic influences. Moderate parsons, by taking the stipends and doing the bidding of the patrons, will not thereby become a link between them and the population. The passions and principles which in Scotland demand the reduction of aristocratic power, have hitherto been greatly restrained by the Evangelical clergy—thanks to the Peel Ministry, the restraint has become an impetus. Aristocratic doctrines will, undoubtedly, be taught for the aristocratic stipends. But, like Dean Swift, when his audience consisted of his clerk only, the preachers will have to say instead of dearly beloved brethren, ‘Dearly beloved Roger, be a Tory.’ The bits of bread will buy the bits of sycophancy. Hitherto, at most of the elections since the Reform Act, the Evangelical clergy have voted for the Tories, and to their influence over the political serfs of the counties does the aristocratic party owe its position. This will never happen again. At the next general election, happen when it may, the Tories will have nothing to back them but the brute power of property.

“By the secession of the Evangelical party, the aristocracy will lose dignity. They may not see how this will happen; but they will find it to their cost. They will have yet to pay a high price for their patronage in filling the vacancies. The Moderate Erastian, anti-Evangelical Establishment has not had, and when the vacant stipends have found lifters will not have, any moral influence, over the people. They will be odious to all men, and will involve their patrons in their odium. Were I asked to name one of the worst effects of Church Establishments I should say—they neutralize the Christian idea of dignity. The servant is greatest in the New Testament—the lord is greatest in the Established Churches. A God-like dignity, according to Christianity, invests the servant who, victorious over selfishness, does, makes, and suffers most for others. According to Establishments, power and honour, the appointment of the pastor, the highest place, the pew adorned with armorial bearings, the glaring escutcheon, the black hangings, and the bannered tomb, belong to proud and triumphant Selfishness, riding in painted coaches, clothed in ermine, and tricked out in stars, swords, and coronets. In the Bible glory is a radiance from the man: in the Establishments the honour follows the accidents. Christ says, honour most those who are most successfully unselfish—aristocratic churches say by all their peculiar influences, honour most those who are selfish most successfully. Barbarism connects scorn, contempt, and meanness with poverty and weakness; and the Established Churches embody the feelings of barbarism by excluding the lowly from power and honour. The religion of the Son of the Carpenter of Nazareth looks only for moral qualities in the poor man, and finding them clothes him with a sacred power, and adorns him with a celestial glory. Establishments honour the oppressor—Christianity the oppressed. An advanced civilization is now teaching that selfish-

ness cannot be dignified by ducal coronets. Selfishness is vice and baseness even while it wields a royal sceptre. According to the noble doctrines now abroad, Genius which betters and blesses the lives of men fills the real thrones of the world.

"Now, by their secession, the most loved and influential of the clergy of Scotland will insensibly and unconsciously become teachers of these democratic views of dignity. They may not become politicians; but they cannot prevent their influences from making democracy still more than it is a part of the sacred convictions of the Scotch. The free Kirk will be to the upper classes of the towns, and the middle classes of the agricultural districts, a most powerful teacher of the doctrines which make men greater and lords less.

"Ministers have weakened the hold, the moral hold which the aristocracy have on their lands. The Conservatives have unsettled property. They have declared to all the world that clergymen can derive incomes from land only, on terms deemed sinful by all churches. Subjection to Cæsar in the things of God is the indispensable tenure of tields and tithes. Even stipends from land can be held only by allowing the aristocratic will to lord it over the sacred rite of ordination. Thousands, however, of the best minds in the three kingdoms judge the right of the clergy to their endowments to be superior and stronger than the title of the landlords to their estates. They would blot the baronial hall from the landscape sooner than the church with its skyward spire. The reason why clergymen should enjoy the fruits of the soil, seem to them stronger than the reasons for giving the aristocracy a monopoly of the earth. The clergy they think came better by their property than the aristocracy. When certain barons and chieftains were asked of old to show the titles by which they held their lands—they drew their swords. A soldier laid a village in ashes and strewed it with the corpses of its owners, and thus his blood-covered sword made him lord of the village. A chieftain and his clan seized a district, and held it by the sword, making the eagle's feather in his bonnet the symbol of his sovereignty over hill, and vale, and stream. Time puts his cloudy hand over these transactions. The descendant of the feudal baron is clad in ermine instead of mail, and the chief of the clan is seen oftener in the clubs of Pall-mall than on the heather of his native hills. But men now-a-days suspect there is nothing high, holy, noble, or divine, in what was done either by the sword or by time. Many see nothing but bold selfishness in these affairs. An owner of land, awakened to religious views, feels that he cannot better bestow a part of it than by giving it to keep up for ever a church, and a clergyman to teach the grandest doctrine his heart can conceive—the divine ideal of self-sacrificing love, the awful fact which exhibits God in his blood for sinners. Hence Church property. It is perceived that the clergy, however sluggishly, do some work for society in return for their incomes. The aristocracy do nothing. Opinion is the creator of law which again makes and unmakes property. Why should property of a base be more secure than property of a holy

origin? Why ought men who teach morals, console the sick and give future hopes to the dying, to hold their incomes from land on a tenure of sinful subserviency to men who spend their lives in making laws for their own interests, indulging their appetites, basking aloft in sunshine amidst the clustered fruitfulness of the land? Why is it right to allow every lordling at will, although his will may be formed by the most sceptical and the most libertine influences of the age, to domineer over the Church of God and trample under foot the cross of Christ? Such are the questions let loose by the folly of the Government on the minds, not of the revolutionary poor, but of the thoughtful and devout Kirkmen and Churchmen of these realms. Sir James Graham has brought a glare as from a revolutionary torchlight upon the foundations of aristocratic property.

"To me the fall of the Kirk is only the precursor of the fall of the Peerage. The praises which have been sounded in high places upon the distinct committal of the Government to the enforcement of spiritual duties by civil penalties, is ominous of the addition of the clergy to the multitudes already bent on the destruction of feudal aristocracy. The omen reminds me of a dream of the last Countess of the ancient family of the Keiths, Earls of Marischal. She dreamt she was standing on the land eyeing with pride the noble castle of Dunotter, which, built on granite, frowns defiance on the ocean, dashing against its rocky feet. A company of priests appeared in their robes, walking in solemn procession chanting hymns, and sat down and began chopping the rocks on which the castle rests, with their penknives. The Countess laughed at them, she shouted to them derisively, and clapped her hands in scorn of them. However, while she gazed, the clergy disappeared, the rocks and walls rent and fell into the sea, and nothing was left to be seen of the great castle, except fragments of furniture floating on the waves.

"The aristocracy cannot afford to quarrel with the clergy."

Since the above was written new facts have abundantly confirmed the argument. A Highland chieftain with whom we had a chat the other day, not on his native heather but in a gorgeous club in Pallmall, told us the following incident expressive of some of the consequences of this question in reference to aristocratic property. He found one morning recently, between sixty and seventy of his poor people assembled before his house in the Highlands. He went down to them. "They had come," they said, "to beg him not to banish the Gospel." He could not see what the Gospel had to do with the matter, and was angry with them. Perhaps this chieftain will permit us to ask if the preservation of the hereditary affection of his clan is not truer Conservatism than marking his disapprobation of their Church principles in a way to alienate their affection for ever. Many Highlanders said when they heard how the Kirk had been treated, "There will be bonnets on the green." Religious principles and

religious feelings are thus brought into hostility with lordly privileges, and aristocracy rashly tries a fall with Evangelical Christianity. By refusing sites for Free Churches on their estates, the aristocracy are making the vital religion which has just displayed its power so strikingly inimical to them and their privileges, the security of their property, and the maintenance of their dignity. When refused sites for Churches, devout Free Kirkmen exclaim, "The earth is the Lord's. Who gave you a right to refuse a spot on it for the worship of the Creator of it? Did you make the land? Did you get it from the Maker of it to prohibit his worship upon it?" Such were the words addressed the other day by a Conservative Free Kirkman to a Tory Peer. They show that the misconduct of Tory ministers and Tory lairds has injected into the minds of men (but yesterday the breakwater between Aristocracy and the surges of Democracy) the very central ideas of Revolutionary Chartism. The true Conservatives of their order are the Fox Maules, the Patrick Stewarts, and the Breadalbanes, who try to win for Aristocracy the love of religious Scotchmen.

We conclude our desultory remarks with a few words respecting what ought to be done with Lord Aberdeen's bill, the position of the Professors who have seceded, and what we think the present duties of Voluntaries and Radicals in Scotland.

Lord Aberdeen's bill has, it is said, reached the commons; only in consequence of his threatening to resign his office if his colleagues did not overcome their repugnance to it and support it. Shrewd people always suspect a man of the vices of which he loudly accuses others, and this bill gratifies the clerical ambition of the Muir party, a clerical ambition of which the Chalmers party was falsely accused. The party who have left the Establishment rejected the bill of the Earl of Aberdeen, because it enabled Presbyteries to lord it over the people. Apparently the bill gives the Presbytery the whole power of deciding upon the admission of a presentee to a benefice, but they must record their reasons for the revision of the Civil Courts. The Church Courts are empowered to decide absolutely on the objections of the people and intrude any man they like in defiance of them. Before they can reject the presentee of the patron, their reasons must be such as will seem satisfactory in a court of civil law. Seemingly the measure cuts right down between the patron and the people, but the ecclesiastical Foreign Secretary takes care to put the poisoned side of the knife towards the people. The facetious illustrations of its absurdity which we have seen, however witty, have not been quite apt. It does not lock the door of the stable when the steed has been stolen, but it creates a disturbance among the horses

that remain. It is not a case of a surgeon who, having brought his instruments, performs the operation although the patient is dead; it is a case of a surgeon who, missing the patient that called him in, operates on the first person that falls in his way. But no Tory surgery will save the Kirk. The Conservatives, whether Whig or Tory, will not be able to maintain for one million an intolerable burden on two millions of Scotchmen. The life has fled from the Kirk. The spirit of John Knox has left it. The genius of Presbyterianism is gone. The Establishment is a corpse without salt on its breast.

The Professors of the Universities are bound to sign the Confession, conform to the worship, and refrain from injuring the Establishment of the Church of Scotland. The object of these conditions was to keep out Prelatists. An attempt is made to enforce this act against the separating Professors, beginning with Sir David Brewster, who is distinguished from his colleagues in St Andrew's by being known to Europe. The object of this act was the protection of the constitutional settlement of 1690. Sir D. Brewster and the separating Professors have left the Establishment in adherence to this very settlement. It will be strange indeed, if adherence to the thing the act protects should subject them to its penalties, while Prelatical Professors are allowed to remain unmolested. Surpassingly odd will it be should the act be used to turn out the sort of persons it was enacted to keep in, while it keeps in precisely the sort of Professors it was passed to keep out.

A few words to Radicals and Voluntaries. Why have they not seized the initiative in a movement for the reduction of the churches in all the cities. Surely their principles require this of them. Obstacles of Presbyteries and Courts of Tiends, and legal opinions ought not to prevent them from memorialising every Town Council to avert the spectacle of highly-paid clergymen without congregations. Carping at the Free Kirkmen does not seem to be quite so much their duty as co-operating with them on the point of agreement—to avert from Scotland the calamity of an Ecclesiastical Establishment like that of Ireland. J. R.

POSTSCRIPT ON THE SESSION.

WE have often been perplexed to account for the motives which induce men of rank, wealth, and cultivated intellect, to accept, under recent, past, and existing circumstances, the post of a British Minister: that is, to accept office without influence, and all the burdens and responsibilities of power without its reality. Yet this is the situation in which we have now seen the members of two cabinets placed within the last three years.

The motives of a poor man, of any individual humble in station, are intelligible. Such a man may be pardoned the ambition of seeking to gain a position which, though it might confer nothing else, would raise him from obscurity to place him upon a level with the highest in the land; but one who has long been accustomed to move in the privileged orbit of the highest circles, with a fortune sufficient to command every imaginable luxury of life, — a man of literary tastes and the means of indulging them, with personal ability sufficient to command as a simple member of the House of Commons a greater degree of consideration and respect than others owe to their stars and coronets,—might surely be expected not to covet office as a mere factitious distinction between himself and common men, and utterly to refuse to hold it with shackled hands as the subservient instrument of party. Imagine the object to such a man of sacrificing ease, personal convenience, quiet home enjoyments, books, friends, art, science, the pleasures alike of town and country, to the drudgery of a nightly attendance at the House of Commons, to incessant demands upon the mental energy for listening or speaking, to embarrassing anxieties arising from the impracticability of wavering adherents, or the vigilance of opponents, to a constant irritation of the nervous system, and wear and tear of the constitution, certain to shorten the natural period of life. For what end are these sacrifices made? For the cheers of the multitude? It is long since they greeted the ear of a Cabinet Minister. For the applause of good men? When has it been heard? For the gratitude of posterity? What are the deeds which have deserved it? For the approval of conscience? Is there any evidence that it has been felt?

We can indeed conceive of objects for which no sacrifice could be too great. We can picture to ourselves a man proposing to himself, for the one single aim of life, that of the public benefactor, and for this renouncing all secondary sources of gratification. We can imagine a minister reflecting upon the condition of his countrymen and burying deep within his breast resolutions worthy the highest and noblest among those who have aspired

to be leaders of men. We can imagine him saying,—‘with the present generation there is ignorance, but with the next there shall be intelligence; to me England shall owe the gift of an universal diffusion of the elements of instruction. Industry and production are fettered by monopolies and restrictions, to me they shall be indebted for perfect freedom. In every branch of public and local administration abuses prevail,—I will cause them to cease; defective institutions shall be improved; what Alfred was to England in a rude and barbarous age, I will be to her in the present, an age of yet imperfect civilization.’

This would be to live; for this no toil might be too severe, no dull round of official labour monotonous or wearisome; for this, to die would be better than an immortality of vegetating nothingness; but, alas! is there any reason for the belief that such thoughts, however transient in their passage, have crossed the minds of any one of the men who now wield, for good or ill, the destinies of this great Empire?

We know that in the estimation of most men to be the leader of the proud English aristocracy is a noble position; but how if that proud aristocracy will not be led? How if the minister, who in his self-complacency imagines himself the indispensable chief of the greatest oligarchy the world has seen, is merely viewed and treated by them as the convenient stake in the hedge of their political preserves; the indispensable scare-crow of their fields, and patent spring-gun protector against democratic poachers?

For never was there a greater mistake than that which we with many others committed, when we supposed, two years back, and rejoiced in the supposition, that the vacillating feebleness of a powerless Whig Cabinet would be succeeded by the energy and healthy vigorous action of a strong Government. We rejoiced, not because Toryism had gained a triumph, not because our principles had changed, but because there was a reasonable prospect that a multitude of practical questions, not strictly either Whig or Tory questions, but measures of real importance, might now be advanced. The subjects of useful legislation are not confined to electoral reforms; if these must be for a time in abeyance, some progress might yet be looked for towards good Government in many branches of the public administration which had been waiting the issue of the great party struggle. So we hoped and reasoned. So thousands hoped and reasoned. But never has public expectation been more generally deceived. The sentiment of disappointment is universal. We speak not now of the first session of the present Cabinet. One or two measures were brought forward in that session which seemed like the determination of a right purpose. The alteration in our commercial

tariff, though most unsatisfactory upon the great articles of consumption, seemed like a step in the right direction; and some useful Chancery reforms were commenced which looked like earnestness; but the step has been suddenly arrested,—the earnestness has disappeared. The session has been a complete blank. Seven-and-twenty millions of human beings, subjects of the Queen, in this United Kingdom, two hundred millions in distant colonies, immediately dependent upon the British Crown, with all Europe and America looking on, have demanded of men claiming to possess greater qualifications for the task of governing than other men, how will you govern? what will you do for us or for the State? and the answer is “Nothing.”

“We lament the long continuance of a stagnation in trade, to which there has been no parallel, and the general want of employment among the industrious classes. We have considered what remedy could be provided for the existing distress, but have come to the conclusion that, under existing circumstances, we can do,—nothing. In various parts of the world we have opened negotiations to promote the interests of British commerce, but without success; we have sought to modify the hostile tariffs of foreign countries, but, owing to the difficult questions of sugar and corn, we find we can do,—nothing. We have set on foot sanitary and other inquiries into the state of the labouring population, and have discussed various practical measures of improvement connected with the poor law and general local government, but we find that no defect, or abuse of mal-administration exists without some party being interested in its defence. This gives rise to difficulties which are very embarrassing, and until they are removed, or remove themselves, we can do, — nothing. We have had frequently represented to us the necessity of extending the blessings of instruction to all classes of the people, and we admit that ignorance and demoralization prevail to an alarming extent; but we owe our position to the Clergy, and the Clergy wish to have the entire direction of the schools of Dissenters, to which proposition (having tried the experiment) we find Dissenters dissent. Of knowledge therefore at our hands the people can obtain,—nothing.”

Thus the Government which, from its large numerical majorities in both houses, was in appearance stronger than that of the Reform Bill, is now discovered to be the weakest, from its internal division or want of business energy, that has existed since the days of Pitt;—for of the two suppositions we adopt the more charitable that it is from impotency, and not want of inclination to use power for right ends, that the Session now drawing to a close has been wholly barren of results.

But have we stated the fact? The Session has not been barren of results. Its results are seen in Scotland, in Ireland, in England, in Wales. In Scotland, in the separation from the State Church of all the learning, piety, and talent formerly belonging to its communion upon the question of the right of religious congregations to listen to pastors of their own choice. A great Dissenting interest, thus created in a part of the United Kingdom where Dissent was all but unknown, and by the same miserable policy which first created, and now upholds, Dissent in England,—which first converted the English Church from a National Church into a political sect,—an united religious community into a nation of sectaries,—the blind policy of legislative interference with the rights of conscience, and State intolerance in matters of religion.

In Ireland we see a people whom it is no longer safe to despise,—a nation now capable of holding its own,—a population of eight millions apparently on the eve of an open declaration of independence,—at least in a state in which a single word from their leader, pronounced in some moment of irritated impulse, or one farther rash step on the part of Government, would give up to all the horrors of civil war. In Wales something like civil war, in one of its many forms of disorganization and anarchy, has even commenced. Local administration abuses (that subject so important in the eyes of practical statesmen, so indifferent to the present Ministers) having produced their natural fruits,—a bold defiance of the constituted authorities, Lynch-law, and military collision. In England, decaying commerce, and deep-rooted, growing discontent. The muttering of a coming thunder-storm, in which every element of order and confusion may soon be commingled. A feeling of utter weariness of class legislation prevailing not only in towns, but also in the rural districts. Wealthy manufacturers abandoning industrial occupations, and giving up their whole time to political agitation; farmers declaring against the pretensions of landlords at meetings called to uphold the corn laws; two millions of petitioners against a factory bill rebuking the extravagant pretensions of the church.

We have not space nor time at the present moment to inquire minutely into the causes which have brought the country to the brink of that chaotic abyss into which, by a single false move, it may now be precipitated; some of them have been noticed in preceding articles, and to the remarks which will be found in other pages of the present Number it may be necessary to add but a few observations, which we shall submit in the desultory form in which they occur.

First, with regard to the dismissal of Irish Magistrates; in

the statistics of criminal insanity is it possible to find a stronger instance of political madness? The wildest friends of Repeal could not have devised a measure more favourable to their object. We grant the plausibility of the argument that, in the event of a civic commotion, Repeal Magistrates could not be trusted; but in such a case would it be necessary to trust them? And was this contingent difficulty a sufficient justification, on the ground of expediency, for conferring at so cheap a rate upon the most influential members of the party the honourable distinction of political martyrs; converting the lukewarm into the zealous, and among so excitable a people as the Irish, fanning into a blaze the spark which had been kindled? The effect of this ill-judged measure in doubling the amount of the Repeal rent, and in causing nearly the whole of Ireland, Protestant as well as Catholic, clergy and laity, to unite as one man for Repeal, needs no comment; and yet, in the same spirit which governed George the Third in his quarrel with the American Colonies, and William of the Netherlands in his differences with the people of Belgium, the present Ministers refuse to retrace their steps, and continue to add fuel to the fire.

History, it is said, is philosophy teaching by example, but the fact would appear to be otherwise, and that philosophy never teaches by history, for example is lost upon many who will or can learn but in one school,—a dear one,—that of experience.

The apology for the Irish Arms Bill is, that the bill is almost identically the same measure, but a little more stringent, which on more than one occasion was introduced by the Whig Cabinet. It is true that former bills failed, that nobody ever heard or believed in the slightest good having been effected by any Irish Arms Bill attempted to be enforced;—but why take the trouble to inquire into their operation? An Irish Arms Bill had become the approved mode of averting, or appearing to avert, a given danger: why not repeat the customary blunder?*

* It is yet remarkable to how slight an extent a Minister profits by the experience of his predecessor. Of this we have had a striking instance in the late attempt to raise a larger revenue upon Irish spirits by increasing the duty. It was shown Mr Goulburn by a former Chancellor (Lord Monteaigle) that the attempt would necessarily fail, and yet it was persevered in. The result was a loss to the revenue, as had been predicted. It is true a Tory Chancellor might have very good reasons for distrusting the advice of an opponent who had held the same office, but the facts referred to had become matter of history, and Mr Goulburn could have satisfied himself of their credibility by turning to the following passage in M'Culloch's 'Commercial Dictionary':—

"The Revenue Commissioners recommended that the duty on Irish spirits should be reduced from 5s. 6d. to 2s. the wine gallon (2s. 4d. the imperial gallon), and Government wisely consented to act upon this recommenda-

And that it is a blunder any one may convince himself who has travelled in Ireland, and is able, therefore, with the help of a strong imagination, to realize in his own mind the visit of a handful of police to a cabin in a wild mountain district, or in the midst of a bog, to disturb the dirty straw of some bed-ridden old woman, or pull down the rotten thatch of her roof, in search of an old firelock or rusty pistol. The fact is, that an Irish Arms Bill is an excellent means of annoying and irritating the peaceful portion of the population who may easily be made to register, or deliver up at pleasure every weapon of defence in their possession ; but that it will ever touch the case of the lawless ruffian, is about the most extravagant chimera that ever entered the human brain. We were once stopt by a footpad, and most happy should we have been if at the time we had happened to have had some Irish Arms Bill or other Act of Parliament in our pocket, which, by some mystical process, would have enabled us to wrest from our assailant his ill-looking pistol. But if we could have got possession of the pistol we could have seized footpad and all !—an idea which does not seem to have occurred to the legislators by whom this bill has been framed as a measure of protection. Happy country to be thus protected ! Pleasant it must be to a rent or tithe collector to lie down in his bed with the satisfaction of knowing that, protected by this bill, he will be somewhat less in danger than before of a bullet through his window, but incur somewhat more risk than before of having his nose slit, or his ears cropt, or his house fired, with the view of burning him alive in the flames.

We would implore Ministers to reconsider the whole of their Irish policy. It is idle to denounce or to legislate against the Repeal agitation. Repeal does not mean separation, it means discontent ; and to the multitude any other cry would do as well, for every cry that converts millions into agitators has the same meaning. 'Repeal' means better laws, better local government, and a greater share in it than the Irish now possess, and by what honest man can such a demand be gainsaid ?

With so much to condemn we notice with pleasure one redeeming feature in the conduct of Government—the promise of Sir Robert Peel to institute an inquiry into the Irish laws of

tion. In 1823, the duties were accordingly reduced. * * * * * The measure was in every point of view most successful, and it is much to be regretted that it was interfered with in 1830 by raising the duties from 2s. 10d. to 3s. 4d. The truth is, that 2s. 10d. was as high a duty as the article would bear; and the additional 6d. has again thrown the balance in favour of the smuggler, and led to a partial renewal of illicit distillation." —*McCulloch's Commercial Dictionary*, vol. ii, p. 1075.

landlord and tenant. Two-thirds of Irish disturbances are agrarian, and we need not seek far for their origin; the cause lies on the surface. The original Celtic tenures of Ireland have all been disturbed by repeated acts of plunder and confiscation; and it has only been by a guerilla warfare, which has endured through centuries, that the original Irish have been enabled to maintain any footing whatever in the soil of their forefathers. That guerilla warfare has not yet ceased, because the spirit of landlord legislation has not yet ceased to recognise the claim of the Saxon to absolute sovereignty in the soil, without regard to those unwritten laws of customary tenure, which in England secure to some extent the property expended by a tenant in cultivation. The subject was ably and temperately discussed by Mr More O'Ferrall in his speech in the debate on Irish grievances, and we trust at last it will meet with the attention it should long ago have received.*

We fear, however, that the prospect is but faint of any great improvement connected with law that would require on the part of the law lords and lawyers attached to the present administration patient investigation, with an honest, energetic application to the task of providing a remedy for existing defects. Hitherto every attempt of the kind has proved abortive. It is true we have a new Registration bill,—but one which it is already discovered needs another act for its amendment in some of its most important clauses; a bill which still leaves the battle of reform to be fought in Registration Courts, which surrounds every man's constitutional privilege with technical difficulties, as if the object were to render it an endless source of petty annoyances, and which makes it difficult to determine whether every claim admitted since the Reform Bill may not be disturbed by the activity of meddling attorneys already actively employing themselves to hunt for inaccurate descriptions of property on which claims may be founded.†

* The common law of tenure in England varies, like the custom of tithes in different counties and in different parts of the same county. In some parts of Kent, for example, a tenant, if ejected, can demand from his landlord a shilling per load for every load of chalk he may have put upon a clay farm as manure the same year. The landlord must also pay not only for the growing crops, but for all the young ash trees planted for hop poles, although of ten years growth. In Ireland there are many similar well-recognised customs, but customs which, from a defective administration, have never received legal sanction; and it is in defence of these that the Lynch law of violence is resorted to by Irish occupiers for want of a better.

See, on this subject, the article entitled 'Celtic Tenures,' 'Westminster Review' for February, 1843.

† The Registration Act leaves the great defect of the present system exactly where it was. When the legislature has determined to what hands

A Registration Bill has been passed, and a Canada Corn Bill, and we have now named the only two measures of public importance which have been adopted by the House during the present Session. Upon all the other great questions of the day, if measures have been promised they have been postponed. The

the franchise should be confided, the duties and the privileges of the voter should be thrown upon the party filling that category, whether he will or no. The State requires from him the performance of a duty, and the discharge of that duty should be no more optional than in the case of serving on a jury. It appears to us that there is only one way of attaining this end, and that is by using as the register of voters a list formed for some independent purpose. Taxation, for instance, either general or municipal. So long as the right to the vote depends upon the act of the voter, his indolence or his timidity will leave the register imperfect, as his fraud will render it deceptive. The activity of an electioneering agent, and the expenditure of a few hundred pounds at the revision upon which an election ensues, will decide the state of the poll. A striking instance of the truth of this assertion occurred at the revision immediately after the last election for the City of London. In the Temple alone fifty-two persons were expunged from the register on the ground of double holdings, who had voted for years, and might have continued to do so but for the vigilance of the agent of the references. Had the error been discovered in the previous year, a considerable difference would have appeared on the poll. So long as the correctness of the register depends upon the efficient discharge of his duty by the overseer, it will be subject to all the manifold evils to which corruption, jobbery, ignorance and stupidity can give birth, and the family is large, and on the increase.

There is, as we have said, only one cure for these evils. Form the register for some independent purpose, and let the right to the franchise be the incidental consequence of being on that register, not the object for which the register is formed.

The old land-tax assessment was an example so far as this point is concerned, of the plan we recommend; and though extremely incorrect and defective in other respects, we do not believe that it was corrupt. Adopt this simple expedient, and the whole of the present cumbrous and expensive machinery for registration becomes unnecessary.

We regret that the appeal has been given to the Court of Common Pleas; we think that it would have been more safely and more constitutionally lodged with some tribunal constituted under the House of Commons; but some appeal was absolutely required, and an appeal to the Common Pleas is better than none. The barrister is empowered to give costs in cases of groundless and frivolous claims and objections, which will operate as a check on wanton falsification of the register. Notices may be sent by post, which will assist in attaining the same object. Some doubtful points are set at rest. The legislature has been pleased, in its wisdom, to enact a mathematical impossibility for the measurement of distances, but has fortunately provided that the Ordnance map may be used for this purpose, which will obviate any practical inconvenience. Claims are to be made in counties on change of residence. The barrister's powers of awardment are more distinctly defined, and he may fine summarily for misconduct in certain instances. The duties of overseers and other officers are pointed out, and, "credite postin," the shilling clause is repealed! Such, with the addition of a few clauses, setting at rest some doubtful

better regulation of Charity Funds, a reform of the Corporation of London,—an amendment of the Poor law Amendment

questions and giving occasion for the raising of more, is the Registration of Voters Act.

On the recent attempts at law reform, we have received the following communication from the author of the article on a similar subject in our February number.

Petitions from many of the principal towns in the kingdom have been presented to the legislature, detailing most strikingly the grievances imposed on them by the new bankruptcy system, and a mass of returns have been presented to the House of Lords, which places the matter on uncontrovertible ground. Lord Cottenham moved for a select committee to inquire into the working of the system, and was met by the Lord Chancellor in the most irrelevant speech it has ever been our fortune to read. He did not deny a grievance, but contented himself with quoting fact after fact, and speech after speech, to prove the deplorable state of the administration of the bankrupt law before 1831. Because in 1831 the district of the London commissioners had been extended, and the new system, on an average view, worked well, therefore it was right that Norwich creditors, for instance, should come to London to prove their debt, and work out their dividends, against a Norwich bankrupt. An argument which, if good for Norwich, is just as good for also working a bankruptcy from Calcutta or New South Wales in London.

On the other hand, a local courts bill has been brought in for decentralizing litigation for debts. It purposes to appoint, not only distinct judges, but also distinct officers attached to each judge, for litigatory purposes throughout the country; and this in the face of the late returns, which show that the new bankrupt commissioners and their officers have not half their time occupied. Now that there should be courts sitting frequently in all parts of the country cannot be doubted. But that they should each have a distinct territory, and be absolute masters in their own territory, cannot, on the other hand, we think, be contended for. It is requisite that the district judge of all judges should be placed under the greatest possible control. He has no audience or bar capable of controlling him, and the readiest and cheapest possible appeal must, therefore, be provided to check his actions. Any way the danger is (and this danger may be exemplified from the conduct of some of the new county bankruptcy commissioners in their courts) that the local judges should go on pretty much in the way as the magistrates at the London police-courts, and demean themselves as little gods in their own very little heavens. Moreover, there is another very important consideration not to be lost sight of. To write to any agent to procure process, it is far cheaper to send to London for it than any other place, as the county town, for instance.

By a system of pleading the necessity of going to the judge is obviated to a degree. It appears from some very important statistical investigations lately made by an eminent London solicitor, that owing to the effect of such a system, out of every two hundred actions for debts under 20*l.* actually commenced in the court at Westminster, only three cases, or 1½ per cent., have to bear the expense of taking witnesses before the judge. To meet this view of the case, Mr Jervis has had two bills before the House; one to extend jurisdiction which magistrates

Bill, have all been again deferred "to a more convenient season."*

The Canada Corn Bill is assumed by some to be a relaxation of the existing system. It may be so, but to an extent so small that its benefits can only be appreciated in the scales of a microscopic legislator. It is a strange example of unsound principle and round-about legislation. There is to be a shuffling of cards that Canada wheat may be sent to England, and the wheat of America be sent to Canada; and Canada landlords who never asked for nor dreamed of a protecting duty, are, *bon gré mal gré*, to have a protecting duty of 3s. per quarter forced upon them, the

already have as to wages, &c., to all debts under 5*l.*, and another for greatly simplifying procedure as to debts above 5*l.*; but as to those for keeping up a system of pleading, and for letting local judges constantly sit to try such cases as they arise, subject to an appeal, at the cost of only a few shillings to a judge of the court at Westminster. The government, however, blindly and doggedly press on their own bill, in pure obstinacy, it would seem, and recklessness, as to the mischief it would inflict.

The Ecclesiastical Courts Bill has, however, been the great legal bubble of the session. Wills are deeds taking effect in case of death, and nothing else, and there never was a greater absurdity than to send this peculiar class of cases, or rather this, a class with *no* peculiarity, to separate courts, with a separate bar and exclusive solicitors (called proctors). Like all other absurdities, this plan created great mischief. Amongst others, it led sometimes to conflict of decision, and even to a doubling of procedure, to two sets of proceedings to establish one single instrument. One of the most able commissions which ever sat on any question of law reform, the Real Property Commission, proposed the obvious cure, viz., an abolition of the courts, and a restoration of the business (a business extremely small in quantity for all England) to the general courts of the country. But this would not suit the government. A great variety of courts, with a great multitude of half-employed judges and officers, implies a great deal of patronage, and law reform read in English means extended patronage in disguise. The government has, accordingly, brought in a most disgraceful measure, really of but little benefit in its best points, and infamous in its judicial arrangements, wholly setting aside the excellent recommendation of the Real Property Commissioners, and in deference to an interested opposition of the country proctors, it has cut down its little modicum of benefit into mere crumbs.

* It is known that we have always been friendly to the Poor-law Amendment Bill, but we are obliged to confess that if something be not done ere long to give greater efficiency to this department of administration, the country will soon be in a worse state under the new system than the old. In every part of England local jobbers are obtaining an ascendancy in Boards of Guardians, and abuses of expenditure, unchecked by the Commissioners, whether for want of power or want of energy, are reaching an extravagant height. We mentioned in our last number the case of the City of London Union, which spends (partly in salaries to its own officers) a larger sum by 20,000*l.* per annum than the two adjoining unions spend together, with a larger and a poorer population. But this is only one case out of many. It is our deliberate conviction that the poor's rates exceed by nearly a million sterling their legitimate amount, no part of which excess is any benefit to the poor.

amount of which might just as well go into the pockets of the Chancellor of the Exchequer. It is a bill which will lead to some smuggling, much false swearing; which will give to a portion of the American trade for a time a false direction, to resume by-and-bye its proper channel in that total repeal of the corn laws which is now becoming inevitable.

In concluding our notice of the session we must make a few remarks upon the state in which it leaves the question of National Education. We will not enter at length into a discussion of the Factory Bill, but we would not condemn it in a spirit incapable of doing justice to the intentions of its framers. When we first saw the measure announced (as we understood the speech of Sir James Graham) as a scheme of national education, our disappointment was great that a plan was introduced which, however wise in its provisions, was only even intended to apply to a very small section of the population. We have long been convinced of the fallacy of expecting any real progress on the principle of "bit-by-bit legislation." What is called a half-step becomes, in the majority of cases, a stumbling-block at the very next stage of the improvements required. Had the Factory Bill passed, an impression would have remained on the public mind that "something" had been done for education; how much, how little we should rather say, would not have been known, and a generation might have passed away before the House of Commons would have tolerated a discussion upon any other measure for popular instruction. This, to a certain extent, has been the result of the great Educational demonstrations at Exeter Hall. It is not to be denied that the classes there established have had an influence in widening the sphere of instruction where schools of any kind have existed, but they have had no effect whatever in diffusing among the people at large the simple elementary knowledge of which they stand in need. It has grieved us to hear the remark, when we have had our attention directed to an account of classes at Exeter Hall honoured by the attendance of Prince Albert and the Duke of Wellington, "See what the Government is doing for education:"—the Government that is absolutely doing nothing for education in the broad sense of the term, beyond that of giving countenance to voluntary, self-supported efforts:—the Government that allows a fact to be asserted, and to remain capable of proof,—a fact that, in the German State, would be deemed infamy on the part of its rulers,—that within twenty miles of London a hundred villages are to be found in which not a single agricultural labourer is able to read and write! We wish statesmen would examine the subject sufficiently to give up the notion that little measures save trouble. They give more; for little measures inspire no confidence or zeal even among their sup-

porters ; while great measures, however much opposed, rally in their favour all the elements of honest enthusiasm. It would cost more labour to carry through Parliament a bill for the repair of a parish pump opposed by a litigious vestry, than a bill to establish a healthful and ornamental fountain in every square and public place of the metropolis.

But the Factory Bill was not merely a partial measure ; it was a bill that in some cases would have operated mischievously upon the interests of the children it was designed to protect. Compulsory only as regarded factory employment, it would have driven multitudes of children into other employments infinitely less eligible for infancy than factory labour. We rejoice, therefore, that it has been abandoned ; but we are notwithstanding glad that it was introduced. It has taught a most useful lesson. It has taught ministers, we trust, that among the various shifts of political expediency to which statesmen resort for support, it may sometimes be dangerous to favour too exclusively the pretensions of the clergy. We would warn the Government that the influence of the Church over the people was never weaker than at the present moment. In the days of the Whigs it was irresistible, because both parties in the State were then alike afraid of its hostility. Against one the Church has done its best and worst, and it now stands alone ; no soul thanking the clergy for any results yet realized to the public by the successful issue of their late political canvass. After all, this is the nineteenth, and not the twelfth century. Supreme spiritual and temporal power will never again be united. "The world does move, however."

But the Factory Bill, we have been told, in reference to its Church clauses, was a compromise with the Church, and we can easily believe it ; although to those who are not aware what the pretensions of the Church have been, the fact may appear incredible. Let us briefly glance at the history of the Educational struggle of the last six years.

It commenced about 1837, by the efforts of some friends of popular instruction, who had visited the Educational Institutions of the continent, to procure the removal from workhouses into district Industrial Schools of the orphan children (about 40,000 in number), then and now brought up in immediate contact with adult pauperism, and exposed to all its demoralizing influences. This was not a question of doctrine, for the religious instruction of these children would have remained as before, under the care of chaplains of the Church of England ; and to the whole the Catechism would have continued to be taught. The Poor-law Commissioners and the Whig Government were favourable to the proposition ; but it was a question of power. The heads of the clergy were of course sounded on the subject, and as soon

as they understood that the secular government of these schools was to rest not with them, but jointly with the Poor-law Commissioners and the Committee of Privy Council of Education, an intimation was given that the clauses of the proposed Bill relative to this object would be opposed. The project, therefore, has fallen to the ground, although three times brought forward and discussed in the House of Commons, and on one occasion emphatically supported by Sir Robert Peel. Will it be believed?—and we state the fact with hesitation, because on the bench of Bishops there are men who possess high moral worth, and are not less distinguished for piety than learning;—will it be believed?—but our statement, we know, will be received with incredulity, nevertheless the fact is so, that the only obstacle to a liberal scheme of National Education, to which the leaders of both parties in the State would be ready at any moment to give their assent, is the deliberate resolution of the Bishops, with three only exceptions whose names will readily occur to the reader, *that no scheme of National Education shall receive their sanction which does not leave the appointment of schoolmaster in the hands of the clergy.*

This, their *ultimatum*, has been repeatedly expressed, by the most influential members of the body, and not as a secret to be confidentially kept by this or by the late Government, but as a resolution to be proclaimed at the corners of streets, and in synagogues. There is something so frightful in the awful responsibility incurred by such a declaration on the part of men calling themselves spiritual guides, that we dare not trust ourselves to give expression to our feelings in the fit terms by which this conduct should be denounced. The orphan child of indigent or unknown parents, struggling through the first years of infancy, with its parish nurse, finds itself, when it first awakens to intellectual consciousness, surrounded by the vagrant, the mendicant, the drunkard, the prostitute, the demoralized of every shade of demoralization, to whom the parish workhouse is the habitual asylum; with them the child passes the whole period of its youth, protected from the poisonous influence of their sentiments and example by no other talisman than the catechism, or by doors (which are never locked), of nominal separation: in manhood he goes out into the world to indulge in the habits of the only class of society with which he has been made familiar; in age or sickness, when want overtakes him (the inevitable result of such early training), he recalls to mind the scene of his early associations, returns to die in the workhouse home of his infancy,—*and who buries him there?* The little Irish miscreant in our streets, alternately begging and pilfering, with no sense of duty or religion, but superstition enough to avoid one crime forbidden by his priest,

attendance at an exclusive Protestant school, tracks his way from gaol to gaol, till he arrives at one of our penal settlements, to work in gangs, in chains, in repairing roads,—to die at last on the sands of Norfolk Island,—*and who buries him there?* Who digs the grave of the pauper and the felon—who finds that grave its victims? Gracious heaven! the very men whose profession it is “to save their souls alive,” “to snatch them as brands from the burning.” By all it is admitted, that early separation from vice, that industrial training, that the inculcation of moral duties and habits by precept and example, and daily reading in the scriptures, are the best—the only preparation—not only for a pure and holy life, but a right acceptance of the mysteries of faith; and the men who refuse this preparation,—the men who, not to thousands merely, but to hundreds of thousands, morally and intellectually perishing for lack of knowledge, dare to shut their eyes, and close their ears to the sight of misery and the cry of wretchedness which ignorance occasions, and to withhold all help unless that help is purchased by a surrender of civil rights, by a domination in temporal affairs equal to that of ancient Rome,—are those who sit in Moses’s seat, to teach men the commandments upon which hang the laws and the prophets—“Thou shalt love the Lord thy God and thy neighbour as thyself;” and the Christian doctrine, “He that would be greatest among you, let him be the servant of all.”

My Lords of the Spiritual Bench, this is a grave charge, would that it could be disproved; if it cannot, no private virtues, or public alms-giving, will absolve you from its guilt. And the charge cannot be disproved. To all it is notorious, that if in your place in the Upper House, ten only of your body would rise and say—“*This unholy strife shall cease; the people must be instructed; every child in the kingdom shall be taught to read the bible; and our claims of power for secular interference shall not stand in the way; we will be content with moral influence,*”—no English minister would withhold another hour a Bill for National Education. If then there be truth in those solemn words of scripture, that “where much is given much will be required,” for these sins of omission, for these deeds of obstruction, justify yourselves, if it be possible, before men,—you will have to answer for them before God.

But that the Factory Bill was a compromise, would perhaps yet appear, if we had space or time to enter fully into the history of its origin. We can only very briefly advert to one or two other of the facts.

It is known the part taken in education by the National School Society, a society numerically insignificant, but of great influence through the countenance given to its proceedings by the heads of the Church; a society founded upon the narrow and exclusive basis

that no child, whether belonging to Jewish, Roman Catholic, or Dissenting parents, should receive instruction in its schools, without being compelled to learn the Church Catechism, and to attend divine service at the parish church. The Factory Bill was a departure from that. The children of Dissenters might attend factory schools, and withdraw them during the hours the catechism was taught. But about the same period to which we have alluded, a party in that society, of some influence with the aristocracy, and designated "Young England," (the title by which the members comprising it are familiarly known,) formed a grand scheme of Ecclesiastical Education, in which every parish church was to have its parish school, under exclusive clerical direction, visited by inspectors of clerical appointment, under the immediate superintendence of the bishop of the diocese, and in fact by which the ancient order of deacons was to be revived in the schoolmaster. The Factory Bill was a departure from that; the controlling power was given, not to an ecclesiastical board, but to the committee of Privy Council of Education. The Ecclesiastical scheme, however, took with the clergy. It was something by which they could repel the accusation of doing nothing for education, and it flattered their love of power. The originators of the plan did not at first propose to apply to Parliament for assistance. They contemplated the possibility of raising a million sterling by voluntary efforts; but in this they failed. They did, however, raise more than sufficient to spend about 40,000*l.* upon a normal school, at Stanley Grove, Chelsea, now called St Mark's College, where the curious in antiquities may see a modern revival of the "Order of Jesus."

The newest scheme, however, submitted to Government, and we tremble lest, amidst the difficulties by which the subject has been embarrassed, it should be adopted, is the plan of Mr Colquhoun, of supporting no public schools but those which have a tendency, at the same time, to establish sectarianism. In other words, to give money to church schools, and like sums "to any schools in connexion with a distinct body of non-conformists." We would fain hope that the moderate party in the Church have yet influence enough with their brethren to induce them rather to renounce their exclusive claims, than drive the Government into this new religious net. Which is better, to extend the pale of the Church by overlooking minor differences, and giving up secular interference, than to *root* in the land, by grants to Southcottians, Swedenburgians, Sabbatarians, and all other sects, nominally for education—really, often for mere proselytism—the unhappy dissensions on religion, by which this country has been divided since the days of the Reformation.

We appeal to the moderate party in the Church; but we

ought, perhaps, to ask ourselves, does a moderate party exist? If it exist, why is it inactive and silent? The knot of men by whom the extravagant pretensions to which we have referred are chiefly promoted, are the same who are striving to turn back the stream of events, and revive Popery in its grossest form of slavish superstition. By the Factory Bill, an hour on certain days of the week was to be spent over the catechism: but what is the catechism which these men, if the powers had been given, would put into the hands of children? Our astonishment could not be expressed, when on inquiry into the catechetical training which they deem indispensable for youth, we found that the catechism they had prepared for their object—a catechism said to be “compiled from authentic sources”—taught, in the plainest and most undisguised manner, the worship of images, of saints, and of the Virgin Mary; the infallibility of the Church, the duty of confession, the doctrines of purgatory, and of transubstantiation.*

Are these the doctrines of a Protestant Church? In what times have we fallen—when men with such opinions,—night owls of the middle ages, are seen wandering in the broad sunshine, mistaking their proper place in the dark cells of some ruined monastery, from which they have escaped? Surely the appearance of such a work, and its circulation in Church of England schools, demands an inquiry on the part of the highest authorities of the realm. In the college of St Marks, the whole of the 39 articles of the Church of England are committed to

* ‘A Catechism for the use of Young Persons of the Church of England; compiled from Authentic Sources.’ Published by James Toovey, 36 St James’s street.

We have selected a few passages from this work, arranging them under their proper heads, that our readers may judge for themselves of the difference, if they can find any, between ancient Popery and the modern fashionable creed. For ourselves we can only say that we have never met with an educated Roman Catholic who would explain the doctrines of his church in any other sense than that given in the answers to the following questions:—

The Worship of Images.

Q. What puts us in mind that Christ became Man, and suffered on a Cross?

A. The very making the Sign of the Cross, or reverently beholding that sacred Emblem.

Q. Why, then, do we place crosses in and on our churches?

A. To put us in mind that God the Son became man, and died upon the Cross for us. *

Q. Are pictures and holy symbols allowable in Church?

A. Yes; for they movingly represent to us the life and passion of our blessed

Lord, and other doctrines of our most holy faith.

Q. Is there any idolatry in honouring the Saints and Angels?

A. No; provided we honour them only with an inferior honour, as the friends and creatures of God, not as gods, nor with God’s honour.

The Doctrine of Purgatory.

Q. What is the fifth article?

A. ‘He descended into hell; the third day He rose again from the dead.’

Q. What means ‘He descended into hell?’

A. That part of hell called Hades.

memory by the pupils, but in what sense are they explained? What is now the religion of the state?

Q. What do you mean by *Ides*?

A. I mean a place of rest, where the souls of the Saints who died before Christ were detained.

Worship of Saints and of the Virgin Mary.

Q. Have we, then, any Communion with the Saints in heaven?

A. Yes; we communicate with them as our fellow-members under the same Head, Jesus Christ; *they feeling for us and assisting us in all holy and kind offices*, and we giving thanks to God for their good examples, honouring them for their virtues, and holding spiritual communion with them.

Q. Is it any disrespect to God to remember the Saints with reverence and honour?

A. Quite the reverse; inasmuch as we glorify and adore God in and through them; for even the greatest Saints are indebted for all goodness to Him alone.

Q. Do we keep any other days besides the Feast of the purification of the blessed Virgin Mary, which reminds us at once of our Lord and of His blessed mother?

A. Yes; the Feast of the Annunciation of our Lady, on the 25th of March.

Q. Are there any other days, which, though not publicly observed, are named in the *Calendar of our Church*?

A. Yes; there are several days in honour of the blessed Virgin Mary—her Visitation, on the 2d of July; her Nativity on the 8th of September; and her Conception, on the 8th of December; with many days of holy martyrs, virgins, bishops, &c.

Q. How then should we keep these festivals?

A. We should endeavour to make ourselves acquainted with the persons or events commemorated, and allow none of them to pass by without thinking of them.

Duty of Confession.

Q. Does our Church encourage the people to seek counsel of the clergy?

A. Yes; for the disburdening of conscience and the quieting of scruples and doubts, especially before Holy Communion.

Infallibility of the Church, and duty of a rigid observance of all Fasts and Festivals.

Q. What do you mean when you say,

‘I believe in the Holy Catholic Church?’

A. I mean that Christ has left a Society behind Him on earth *to be what He was*; and that in the Sacraments we obtain Communion with him through that Society.

Q. To whom has Christ given the power to forgive sins?

A. To the Apostles and their successors, the Bishops and Priests of His Church.

Q. Are we bound to obey the commandments of the Church?

A. Yes; because Christ has said to the pastors of the Church, “He that heareth you, heareth Me; and he that despiseth you, despiseth Me.” Luke x, 16.

Q. Why does the Church command us to fast and abstain?

A. To humble us before God for our sins, and keep our bodies in subjection.

Q. Will not a Christian then feel himself bound to do more in this way than to comply with the mere rule?

A. Without doubt, health permitting.

Q. Are persons in bad or weak health obliged to fast or abstain, or, again, very young persons?

A. No; in all such cases the rule is relaxed: children, for instance, keep Abstinence-days when seven years old, but Fasting-days not till they come of full age.

Q. In other cases, then, may you decide this question for yourself?

A. No; *we should apply to our Clergyman.*

Q. How do Christians in general keep the week days of Lent?

A. Throughout the *western Church* Christians are universally *allowed* during Lent to eat meat at least on *two days* in the week besides the Sundays; but even on those days one full meal only is allowed.

Transubstantiation.

Q. Is the holy Eucharist a sacrifice?

A. Yes; it is a sacrifice commemorative of the One Sacrifice upon the Cross, or, as the Fathers call it, the *unbloody* Sacrifice of the Body and Blood of Christ.

Q. Is it not also a propitiatory sacrifice?

A. It is; it renders God propitious to us when rightly used, and is a mode in which the great Sacrifice upon the Cross is applied to ourselves and to others.

CRITICAL AND MISCELLANEOUS NOTICES.

ARCHITECTURE.

ROYAL GENEALOGY AND BRITISH ARCHITECTURE. By Archibald Barrington, M.D. Thomas Varty, 31 Strand.

RUSTIC ARCHITECTURE. Picturesque Decorations for Rural Buildings, in the use of Rough Wood, Thatch, &c. By T. J. Ricaute, Architect. Carpenter.

WE shall have an opportunity of recurring to this work; in the mean time we will only say that the numerous illustrative plates it contains are, both as designs and as specimens of lithographic printing, of superior merit.

TWO LETTERS ON CERTAIN MARKS DISCOVERABLE ON THE STONES OF VARIOUS BUILDINGS OF THE MIDDLE AGES. By G. Godwin, F.R.S. Nichols and Son.

A QUARTO pamphlet with plates, with special claims on the attention of the architectural antiquarian. The marks alluded to appear to have been the private marks of the masons, made by them upon every stone they chiselled, and it is curious to trace the correspondence of these marks in buildings erected in countries remote from each other, showing how the same architects and operatives, mystically united as freemasons, spread themselves over Europe during the middle ages under the protection of the Church.

SUGGESTIONS FOR THE IMPROVEMENT OF OUR TOWNS AND HOUSES. By T. J. Maslen, Esq. Smith, Elder, and Co.

THIS is a book which deserves the attention of the Metropolitan Improvement Commission now sitting, and we are glad to learn that one of the suggestions which we find in the work, as well as in many prior publications,—the formation of a grand quay along the banks of the Thames, has already been adopted by the Commission, which has hitherto been exclusively engaged in inquiring into the most practicable means of effecting the object. In making this remark we would at the same time observe, that there appears a great want of method in the mode of conducting the business of the Commission. The details of a work of such immense magnitude as an embankment of the Thames, with a view to a carriage and footway along its banks, cannot be settled in the conversational discussions of a Board meeting, held once a week. The preparation of any plan likely to be carried into effect would require the undivided attention of the highest professional skill for some months, and without such auxiliary assistance the Commission, we fear, will make but slow and unsatisfactory progress. We have been much disappointed that a twelvemonth has nearly passed away without a single formal deliberation on the part of the Commission, upon any one question of Metropolitan Improvement beyond that we have named. The Thames Embankment is a grand object certainly, and perhaps the greatest of all, but yet it appears to us that while the Commission is waiting for the scientific reports, which we hold to be indispensable to the inquiry, the time of the Board might be usefully devoted to many minor objects of improvement not requiring an enormous outlay, and capable of being realised before their projectors have crumbled into dust. Mr Maslen's work (which has considerable merit) contains suggestions for many improvements of this class. Some, we must add, from which we entirely dissent,—as for example, his proposition for widening Cheapside. It is always the best economy to make an entirely new line of

street instead of seeking to improve an old one. Cheapside is wide enough for a second-rate thoroughfare, but we want a better thoroughfare, and more than one, in the City, and a more direct communication with the West end could easily be made, connected with the proposed embankment of the river. We shall, however, recur to the subject when the Commission has presented its first report. There are some good names on the Board, over which the Earl of Lincoln presides, but we fear the Commission lacks the essential elements of practical business energy.

BIOGRAPHY.

THE BIOGRAPHICAL DICTIONARY OF THE SOCIETY FOR THE DIFFUSION OF USEFUL KNOWLEDGE. Vol. 2. Part II. Longman, Brown, and Co., Paternoster row.

LIFE OF LORD SYDENHAM. Edited by his brother, G. Poulett Scrope, Esq. M.P. J. Murray, Albemarle street.

BIOGRAPHICAL ILLUSTRATIONS OF ST PAUL'S CATHEDRAL. By George Lewis Smyth. London: Whittaker and Co. 1843.

THE present issue of the 'Popular Library of Modern Authors' contains, besides an historical sketch of Old St Paul's, as well as of the present cathedral,—the noble creation of Sir Christopher Wren,—brief biographical notices, illustrative of the tombs and gorgeous monuments consecrated to the memory of the learned and the brave, a list of the inscriptions, and a translation of those in the Latin.

In an Appendix is given a list of the dignitaries of St Paul's, continued by Sir Henry Ellis from Dugdale's History of the Cathedral to the present time.

The biographical notices are succinct; and, so far as they go, are on the main we believe correct, though they are in a great measure deficient in all that throws a light on the formation of the character and the progressive steps which led to the future eminence of the subjects of the sketches. The following anecdote displays more vividly than volumes of didactic writing, how closely Lord Nelson studied the character, the manners, and the capabilities of those under his command, which was in part the secret of the alacrity and zeal with which his orders were executed.

"During Lord George Gordon's riots, Nelson accompanied a lady, who had refused his hand before he was known to fame, and her brother to Bloomsbury square, when an infuriated mob was pillaging the mansion of the Lord Chief Justice.

"All the hackney coaches at that time had 'No Popery' chalked for safety on their backs; and Miss P——, from a regard to her own personal security, but much to Nelson's annoyance, wore the popular favour. On their arrival at Bloomsbury square, they witnessed the triumph of the mob, and the destruction of Lord Mansfield's library. Among them was a female figure particularly active, and pre-eminently malicious. She was tall, of huge proportions, and uncommonly strong. The vigour with which she fed the fire with some massy tomes of Lord Mansfield's library, mightily amused the mob.

"'That horrid woman seems more in earnest than any of them,' was the comment of the lady. 'She is—not—a—woman,' said Nelson, slowly, and pausing between his words; 'that figure is a man—and—a sailor.' 'A sailor!' cried her brother, 'how can you possibly have come to such a conclusion?' 'A seaman's eye is not easily deceived,' was the rejoinder; 'I have watched that fellow closely for the last ten minutes, and particularly the manner in which he tied that last knot. He's a man-of-war's man; and what's more, I've a notion that he has

served under me. Now, with your leave, I'll ascertain it.' We drew nearer to the building; and Nelson, the moment the indefatigable lady again made her appearance, sang out at the top of his voice, 'Thomas Barker! Thomas Barker!' The hail was unheeded. The lady executed her task and retired. An interval of some minutes took place before she was again seen. At length she rushed forward to all appearance the very genius of the storm. '*Bobbing Tom! Bobbing Tom!*' was this time loudly shouted in a clear, full voice. The effect of the soubriquet was magical. The lady paused—looked towards the quarter whence the cry proceeded—caught Nelson's eye, and achieving such a sunset as legs covered with petticoats never perpetrated, disappeared amidst the vociferous and prolonged laughter of the populace."

The present work will, as a whole, be found an useful guide to the visitors of our metropolitan cathedral, while it may not prove uninteresting to the general reader.

EDUCATION.

PROGRESSIVE EDUCATION. Translated from the French of Madame Necker de Saussure. Longman, Orme, Brown, and Co.

LE TRESOR DE L'ECOLIER FRANCAIS COMPLEMENT DU TRESOR. By Louis Philippe de Porquet. Tavistock street, Covent garden.

CARSTAIRS' NATIONAL SYSTEM OF PENMANSHIP. J. Carstairs, Lombard street.

SPANISH WITHOUT A MASTER. S. Gilbert, 51 Paternoster row.

THE HOME TREASURY. Edited by Felix Summerly, viz:—

TRADITIONAL NURSERY SONGS OF ENGLAND; with Pictures by eminent modern Artists.

LITTLE RED RIDING HOOD; with new Pictures by an eminent Artist.

SIR HORNBOOK; OR CHILDE LAUNCELOT'S EXPEDITION. A Grammatico-allegorical Ballad. New Edition.

BIBLE EVENTS. First series; illustrated with Pictures designed by Hans Holbein. London: J. Cundall, Old Bond street. 1843.

THE Editor of these little works is already favourably known as the author of several of the best Guide Books of the present day. We particularly allude to the 'Guide to Hampton Court,' to 'Westminster Abbey,' and to the 'Hand-book for the National Gallery.' Finding it difficult to procure the works which used to amuse the childhood of those now in middle life, especially the works of imagination, he has determined upon reprinting some of the best of these; and several distinguished artists have not thought it beneath them to aid his exertions by what in their case may well be called a labour of love. Accordingly, the pictures are done *con amore*, and very differently from those usually found in children's books; and the painting of the coloured copies, being evidently after the artists' pictures, is such as never hitherto has been seen in books for the young.

The 'Nursery Songs' contain a large collection of the old friends of our infancy, chanted in those dark ages when something besides absolute wisdom was permitted to the young. 'Little Red Riding Hood,' another old friend, seemingly destined to immortal youth, is here pictured to the life. 'Sir Hornbook,' a grammatical poem for children (by a distinguished literary character), which had much celebrity thirty years ago, and was remarkable for the beauty of its illustrations, has now reappeared to delight a new generation; and the scriptural designs of Hans Holbein have a vigour and quaintness exceedingly refreshing after the mawkish illustrations usually found in children's books.

• **THE ENGLISH UNIVERSITIES.** From the German of V. A. Huber.
• In Three Vols. Pickering.

AN abridged translation, by Professor Newman, of Manchester New College, of an elaborate German work, historical and descriptive, upon the Universities of Oxford, Cambridge, and London. We have received the volumes too late in the month for a critical notice of their contents; but as the state of university education is a subject which demands a serious discussion, we shall probably have more than one opportunity of recurring to the present work; the most complete comprehensive treatise on the subject which has yet appeared.

FICTION.

BLACKWOOD'S STANDARD NOVELS: Adam Blair and Matthew Wald.

HARRY MOWBRAY. Parts V, VI, VII. By Captain Knox. John Ollivier
59 Pall mall.

BIZARRE FABLES: A Series of Eccentric Historiettes. By A. Wallbridge.
W. S. Orr and Co.

JEST AND ERNEST. By the same.

Two pleasant little volumes of magazine tales: both excellent pocket companions for a long journey, and belonging to the class of books which it should be a condition in the licence of every country innkeeper to keep in his parlour, that travellers detained on a rainy day might have some better employment than writing their names with a diamond on the window panes. As a specimen we may give one of the tales of married life, and we cordially recommend its moral to the attention of our fair readers contemplating at the present moment a matrimonial excursion to the Lakes or Switzerland:—

“Four months had flown swiftly away since Edward Somerton married Rose Bland. One summer evening, towards sunset, as they sat together at a window opening on to a garden, enjoying the welcome coolness and talking over various matters, with that interest in each other which people generally evince four months after marriage, Rose, for the first time, began to pout. Edward had, she said, flirted shamefully with Mrs Harding on the preceding evening. He had spoken to her in a low tone several times, and had been heard publicly to declare that Harding was a fortunate fellow. If this were the way he meant to go on, she should be wretched, and no longer place any confidence in his affection.

“‘My pretty dear,’ said Edward, placing his arm around the waist of his wife, and accompanying this action by another trifling performance, ‘don’t be jealous. Believe me there is no cause. On one of the occasions when I addressed Mrs Harding in so low a tone, I remarked that the room was very warm; and on another, if I remember rightly, I observed that the last new novel was rather dull: so, you will perceive, our conversation was really of a most innocent description. And, Rose, because I said Harding was a fortunate fellow, it is not to be inferred that I must endeavour to render him an unfortunate fellow.’

“This mild answer failed to turn away the wrath of Rose. She coquettishly refused to be convinced, became every instant more and more violent and unreasonable, and finally retired precipitately from the room, with her handkerchief applied to her eyes.

“Edward quietly put up his feet on the chair she had left vacant, and leaned back in meditation.

“Here was the decisive moment which would most likely determine whether they were to dwell together for the future happily or miserably. Rose was a dear girl—a sweet girl; but she had black eyes, and they are dangerous. She had been an only daughter, too, and perhaps a little spoiled; but with fewer faults

might she not have been less charming? It is worth studying how to live lovingly with such a creature, especially when you know that she mars, by her capriciousness, her own happiness as much as yours.

"Edward felt that the charge of his wife was totally unfounded, and he half suspected that she believed so herself, but had resolved to be, or seem, out of humour without any particular cause. One thing was evident—that she would not hear reason. Something else must therefore be tried, in order to allay any future storm—for this was probably the first of a series. Edward resolved to try music.

"He was an amateur of some pretension, and he set himself immediately to call over in his memory the melodies most likely to calm the passions and exert a soothing effect on the temper. He made choice of *three*, which he arranged in a graduated scale, to be used according to the urgency of the occasion: gentle, more gentle, and most gentle, as the outbreak was, or became, violent, more violent, or most violent. The scale contained only three degrees. As the heat rose, this conjugal thermometer fell; but below the third and lowest degree all was zero and undefined mystery. Patience acted the part of mercury reversed.

"The melodies were the following, and were arranged in the following order: 'In my cottage near a wood,' 'Sul margine d'un rio,' and 'Home, sweet home!' They were all of a pleasing, touching character; the last purely domestic, and under the circumstances, conveying a delicate satire likely to do good. He had hitherto played these popular airs on the German flute; but he proposed now to execute them in a graceful, apparently unpremeditated, whistle. Not such a whistle as may be heard in the streets proceeding from the lips of vulgar and coarse-minded butcher boys, but a superior sort of thing, such as no gentleman need be ashamed of. In fact, the original, wild production cultivated and improved, as the crab is changed into the pippin.

"His plan thus settled, Edward felt his mind easy, and he awaited the reappearance of Mrs Somerton with a gratifying consciousness of being ready for whatever might occur.

"In due time came coffee. The injured lady came too, and with a placid countenance, betraying no lingering evidence of its late unamiable expression. Neither husband nor wife made any allusion to their misunderstanding, and they passed a delightful evening made up of conversation, the pianoforte, and chess.

"But the next morning—the very next morning, Rose favoured her dear Edward with number two of the series. She wanted him to walk out with her, and he declared that, unfortunately, he should be too busy to go out all day. This was quite sufficient raw material for a girl of spirit to work upon.

"'I'm sure you don't want to go, Edward,' said she, pouting in exact imitation of fit number one. 'At least, you don't want to go with me.'

"Edward plunged both hands into the pockets of his dressing-gown—threw himself indolently on a sofa—gazed abstractedly at a bronze bust of Shakspeare on the mantel-piece—and began whistling in a low tone a plaintive melody: it was 'In my cottage near a wood.'

"'If it were any one but your wife,' continued Mrs Somerton with pointed emphasis, 'you would be ready enough to come; but the wives are always neglected!'

"Mr Somerton continued whistling.

"'I beg, Mr Somerton,' exclaimed Mrs Somerton, with a withering look, 'that you will not whistle in that very disagreeable manner whilst I am speaking. If I am not worthy of your love, I trust I am worthy of common attention.'

"Edward plunged his hands deeper into his pockets—removed his eyes from the bust of Shakspeare—and fixed them in intense regard on a bust of Milton. He paused suddenly in the air he was whistling, and commenced another: it was 'Sul margine d'un rio.'

"Mrs Somerton retired hastily, with her pretty face buried in a white cambric pocket-handkerchief.

"For five whole days after this scene all was halcyon weather. Doves might have beheld and envied. Honey was still to be found in the moon, and no impolitic reference to either of the two foolish quarrels gave any, the slightest, dash of bitter.

"But—on the sixth day, there appeared clouds. Edward had been into town, and had promised to bring a pair of new bracelets for Rose. He arrived home punctually at dinner-time, but without the bracelets—he had forgotten them. I put it to you whether this was not enough to try the temper of a saint! They were going the next evening to a large party, and Rose had intended to inspect the important ornaments this evening, and take Edward's opinion, so that there might be time to exchange them if not approved of. Now she could not do so—and all from his horrid forgetfulness! She must either go in stupid, old-fashioned things, or put on new ones in a hurry, good or bad, just as they happened to be. It was most annoying—that it was!

"Edward made many apologies. He was sincerely sorry to have disappointed her, and even offered to return to town after dinner and repair his neglect. Oh, no! she would not hear of his taking so much trouble for her. What did he care whether she were disappointed or not? His forgetfulness showed how much he thought of her.

"Edward again essayed the soothing system; for he loved her, and was conscious that he had given her cause for some slight chagrin. However, she became so perverse that but one course was left him to pursue: he left off talking and took to whistling.

"I tremble for the future peace of Rose whilst I relate that he considered himself justified in descending at once to the second degree of the scale. He commenced, *audante ma non troppo*, 'Sul margine d'un rio.'

"'To leave me in such a situation!' exclaimed the ill-used wife, in a voice interrupted by sobs, 'when I had so set my heart on those bracelets! It is very, very unkind, Edward!'

"Edward appeared wrapped in meditation and music. He whistled with great taste and feeling, accenting the first note of each bar as it should be accented. But, upon another still more cutting observation from Mrs Somerton, he stopped short—looked sternly at her—and began 'Sweet home!'

"Heavens! what was to follow? He had reached the last degree, and all else was at random. Should this fail, the case was indeed hopeless. Shadowy demons hovered around, holding forth, temptingly, deeds of separation. The bright gold wedding-ring on the lady's finger grew dull and brassy.

"Edward Somerton stood in the centre of the room, with his arms folded, gazing with a steady gaze into the very soul of his wife, who, under the strange fascination, could not turn away her head. With a clear and untremulous whistle he recited the whole of that beautiful Sicilian melody from the first note to the last. Then, revolving slowly on his heel, without saying a word he left the room, shutting the door punctiliously after him. Mrs Somerton sank overpowered on the sofa.

"Rose, though pretty, was not silly. She saw clearly that she had made a mistake, and, like a sensible girl, she resolved not to go on with it merely because she had begun it. Bad temper, it seemed, would only serve to make her ridiculous instead of interesting—and that was not altogether the effect desired.

"In half an hour the husband and wife met at the dinner-table. Mrs Somerton sat, smilingly, at its head, and was very attentive in helping Mr Somerton to the choicest morsels. He was in unusually high spirits, and a more happy small party could scarcely be met with.

"From that day (which was ten years ago) to the present time, Mrs Somerton has never found fault without cause. Once or twice, indeed, she has gone so far as to look serious about nothing; but the frown left her countenance at once when Edward began to whistle, in a low tone, and as if unconsciously, the first few bars of 'In my cottage near a wood.'"

FINE ARTS.

THE HAND-BOOK OF TASTE; OR, HOW TO OBSERVE WORKS OF ART, ESPECIALLY
CARTOONS, PICTURES, AND STATUES. By Fabius Pictor. Longmans.
A LITTLE book full of good principles of art, which both the artist and the

connoisseur should frequently study. Though learned, it is not dull, but is a pleasant book, independent of its higher merits, and is illustrated with pertinent examples told agreeably.

MODERN PAINTERS, THEIR SUPERIORITY IN THE ART OF LANDSCAPE PAINTING TO ALL THE ANCIENT MASTERS PROVED BY EXAMPLES OF THE TRUE, THE BEAUTIFUL, AND THE INTELLECTUAL, FROM THE WORKS OF MODERN ARTISTS, ESPECIALLY FROM THOSE OF J. M. W. TURNER, ESQ., R.A. By a Graduate of Oxford. Smith and Co. •

IN the general scope of this goodly-sized volume we are disposed to agree with its writer, and we think there are few students in art who will not rise from the perusal of it with some increase of positive knowledge. Certainly the work will have set them good mental exercises on the metaphysics of their art, which cannot have been undergone without advantage. The author, like most advocates, rather overdoes his work. That Turner is a landscape painter truer to nature than his most celebrated predecessors, Annibale Caracci, Gaspar Poussin, Claude, Salvator Rosa, &c., we should be inclined to admit with the author;—that his powers are more varied and his attempts much bolder, we should also agree; but granting thus much, it is not necessary to defend his extravagances. What more, for instance, can justly be said in defence of his ‘Moses writing the Book of Genesis,’ now in the Royal Academy, than that it is a brilliant muddle of rainbow colours “without form or void,” and that you might behold it with equal pleasure turned topsy-turvy? In his extreme admiration of Turner, the author seems to us not sufficiently alive to the merits of other modern artists, Callcott especially, the most refined and *spiritual* of all our landscape painters. But we have no space at command to do more than commend the book to the notice of all who are interested in investigating the principles of art.

MISCELLANEOUS.

LOUDON ON CEMETERIES. Longman, Brown, and Co.

We recommend this work to the serious attention of those of our readers who may take an interest in the subject of the article entitled ‘Church Yards,’ in the present number.

WARWICK’S UNIVERSITY REGISTER. 1843.

A CYCLOPÆDIA OF COMMERCE. By W. Waterten. Oliver and Boyd.

THE STUTTERER’S FRIEND. By James Wright, Esq., S.C.L. Sherwood, Gilbert, and Piper, Paternoster row.

THE INFLUENCE OF RESPECT FOR OUTWARD THINGS. Chas. Fox, Paternoster row.

HINTS AND REFLECTIONS FOR RAILWAY TRAVELLERS AND OTHERS. By Minor Hugo. George Earle, 67 Castle street, Berners street, Oxford street.

PEACE. By H. I. J. Macnamara. A Prize Essay. Saunders and Otley.

ROME UNDER PAGANISM AND THE POPES. 2 vols. J. Madden and Co., Leadenhall street.

DR JOHNSON ON HYDROPATHY. Simpkin and Marshall.

ONE HUNDRED ROMANCES OF REAL LIFE. Selected by Leigh Hunt. Whittaker and Co.

THIS book reminds us of a hint which we have often wished given by the owners of river steam-boats to the stewards employed on board;—a hint of

the profit that might be derived from fitting up in the cabin a small circulating library for the amusement of passengers wearied with the length of the voyage, or driven below by unfavourable weather. There is a large and an increasing class of persons who would much rather look over a library catalogue and pay the steward sixpence for an hour's entertainment from the volume they might select, than call, as we have observed many do, for a bottle of stout, merely to beguile their *ennui*. Some of the Scotch steam-boats are provided with libraries, but books (belonging to the vessel) are never seen in any of the innumerable boats running between Dover and London bridge. The boats of the Blackwall railway are the only vessels on the river in which the cabin is provided with newspapers, as a coffee-room on shore, and to many city visitors of Gravesend this is a sufficient inducement to patronise the 'Brunswick' or the 'Blackwall' in preference to the boats of the Star or of the Diamond Company, in which a newspaper, although a week old, is too great a luxury to be obtained. We believe a good supply of new publications would in all cases be found excellent policy as a part of steam-boat accommodation. It is true, that those who want them may buy or borrow a book or newspaper before embarking, but this is an inconvenience; they should be found on board, and no one would grudge a moderate payment for the loan. The present object seems to be to make a tap-room of the cabin of a steam-boat, but as all the passengers are not tap-room frequenters, why not try the effect of combining the attractions of a good reading-room with those of a river voyage? During the first visit to Ramsgate or Margate, the scenery of the Kent and Essex shores may keep the passengers on deck, but those who leave their families at these watering places, and are constantly passing up and down the river, grow tired of gazing constantly at the same objects, and want other occupation. Let voyaging be rendered less wearisome and there would be more voyagers. We trust the library experiment will be tried, and as one of the works which might be selected for the object, the best calculated to ensure its success, we would recommend this 'Hundred Romances of Real Life,' by Leigh Hunt. It is observed in the preface, that "a work more fitted to be laid on the table, whether of drawing-room or parlour, of hotel or country inn, or to accompany the traveller in coach, post-chaise, or steam-boat, it might not be easy to conceive, since it unites in an extreme degree the advantages of quick and exciting perusal with lasting and useful interest." In this remark we entirely concur with the author. Crimes, virtues, humours, plots, agonies, heroical sacrifices, mysteries of the most extraordinary description, though taking place in the most ordinary walks of life, are the staple commodity of this book,—all true, and for the most part well told; and over the greater portion of these hangs the greatest of all interests—domestic interest! The work has, moreover, the merit of great cheapness, the price being only eighteenpence.

THE TRUE STATE OF THE NATIONAL FINANCES, WITH REMEDIAL SUGGESTIONS.
By S. Wells. Esq. Simpkin and Marshall.

THE object of this work is that of a manual of political finance. The author truly observes, that although the financial affairs of Great Britain are the constant theme of discussion of newspaper editors and political economists, the subject is, after all, but little understood by the public for want of that preliminary historical, although somewhat elementary information, which is essential to a right understanding of these questions, and with which very few persons have taken the trouble to render themselves familiar. An apology for this neglect lies in the fact, that the information required scarcely existed in an accessible form, or was only to be procured from many different sources, involving time, trouble, and expense. To remedy

this defect, Mr Wells has produced a small octavo volume, in which the reader will find a condensed account of the principal sources of "public revenue and expenditure. The work treats of 'the consolidated fund,' 'sinking fund,' 'unfunded debts,' 'annual appropriation acts,' 'savings banks,' 'civil list,' 'revenues of woods and forests,' 'hereditary small revenues,' 'Duchies of Lancaster and Cornwall,' and concludes with a chapter of remedial measures, in which, besides those of the author, we have a statement of the various financial improvements recommended by Burke, Cobbett, Sir John Sinclair, Lord Congleton, Sir James Graham, and other political writers. Such a work is obviously calculated to be useful from the number of important facts collected and arranged under their proper heads, and although we differ from the views of the writer on various points, we think that six shillings, the price of the book, would be well laid out by a large class of reformers in purchasing the information the book will supply, of which many more stand in need than are willing to admit their ignorance.

THE GUIDE TO HAYLING ISLAND, near Havant, in the County of Hants, opposite the Isle of Wight; with a Map, and 37 Engravings. New Edition. Hayling: Royal Victoria Library. London: Richard Spencer.

AN unobtrusive little work, in which the compiler, in a small compass, has contrived to afford much information regarding the above pretty spot and its environs, in all that is beautiful in nature and curious in art. It is profusely studded with engravings, and to those who contemplate a visit to "the snug little island," we recommend the book.

BRITISH AND FOREIGN TRAVELLERS' GUIDE. Sherwood and Co.

A POCKET directory for coach, steam-boat, and railway travellers, and containing as much information for a few pence as it often costs the public as many shillings to procure in the time and trouble attending inquiries at booking offices. It contains a table of all the railways, steamers, and coaches of the United Kingdom, with their fares, times of departure and arrival; and information of a miscellaneous but useful description upon continental railways and steamers, foreign coins, passports, mails, and all chief cities and places of resort.

THE WORLD OF LONDON. By John Fisher Murray. In two vols. Blackwood.

THE stranger in London could always procure without difficulty from a bookseller every information he was likely to desire respecting the topography and the history of the metropolis; but, until the appearance of the present work, it would not have been possible for him to obtain, without the experience of a lifetime, such an amount of curious information upon the moral statistics of London as we find comprised in these volumes. The author has a thorough knowledge and mastery of his subject, and considerable powers as a writer. His descriptions are highly graphic and humorous, though occasionally too much approaching to broad caricature. Here and there, interspersed with the shrewd observation of one who should know better, we meet with a little Toryism (which we suppose must be expected from a son of Sir James Murray), and some sentimental twaddle upon the Poor Law Amendment Bill, second-hand from the 'Times;' but the book is on the whole a clever one, and undoubtedly gives the best account extant of the habits, occupations, pursuits, social and anti-social propensities of the various distinct classes inhabiting this vast metropolitan province of houses, and forming the World of London.

A TRAVELLING COUNTY ATLAS. Engraved by Sidney Hall. Chapman and Hall.

A COUNTY atlas is no novelty, but the English tourist is sometimes at a loss where to inquire for the best. The best we have seen for neatness, portability, and clear engraving, is this of Mr Sidney Hall, and it has an advantage over many of its competitors in an accurate delineation of all the railroads, corrected down to the present time. The maps are quarto size, but fold in the middle, so that the whole, when closed, form a moderately thick octavo volume, stitched, without boards, in a Spanish morocco cover, exactly the size, without being too bulky, for the pocket of a great coat, and no great coat now travelling on the back of its wearer among the lakes of Cumberland and Westmoreland, or the mountains of Wales, should be without one. We would suggest, however, to the publishers that in a future edition it would be an improvement to re-engrave the map of England and the map of Kent upon a somewhat larger scale; both are now too small for the number of places delineated, which appear crowded and indistinct, a fault from which all the other maps are free. We could also wish that, as far as the plate would allow, every map should show the direction of the roads in the adjoining counties; this is done in some instances, but not invariably, and in tracing a road through several counties it is often troublesome to find where the boundary lines of each join.

MUSIC.

THEORY OF MUSICAL COMPOSITION. By Godfrey Weber. Boston. Wilkins and Carter.

AN American translation from the third enlarged and improved edition of a German work on musical composition, which has deservedly a high European and Transatlantic reputation. Every musical student desiring to perfect his knowledge of the science of harmony should, whatever system he may pursue, provide himself with this work for consultation. It is a learned and valuable treatise of four hundred pages, comprised in a single octavo volume; which, we presume, may be obtained through the principal publishing agents for American works, Wiley and Putnam, Paternoster

DOMESTIC MUSIC FOR THE WEALTHY, OR A PLEA FOR THE ART AND ITS PROFESSORS. In Eighteen Letters. By H. J. Banister. Published by the Author at 50 Burton crescent.

A PAMPHLET which we would cordially recommend to the attention of the influential classes taking an interest in the present movement for the encouragement of music.

SINGING FOR SCHOOLS AND CONGREGATIONS. T. Ward and Co.

A new system of notation founded upon Miss Glover's system, employing letter-press instead of music type.

PAMPHLETS.

SUPPRESSION OF THE OPIUM TRADE: The Speech of the Right Hon. Lord Ashley, M.P. Houlston and Stoneman, Paternoster row.

LIGHT AND LIFE FOR THE PEOPLE. By Jellinger C. Symons, Esq. S. Clarke, 13 Pall mall East.

THE BETTER INTERESTS OF THE COUNTRY IN CONNEXION WITH INTERNATIONAL COPYRIGHT.

- A SPEECH ON INTERNATIONAL COPYRIGHT. By Cornelius Mathews. Wiley and Putnam, New York.
- POSTSCRIPT TO A LETTER TO THE RIGHT HON. SIR ROBERT PEEL, M.P., ON THE CONDITION OF ENGLAND, AND ON THE MEANS OF REMOVING THE CAUSES OF DISTRESS. By R. Torrens, Esq. Smith, Elder, and Co., Cornhill.
- THE PLEA OF HUMANITY AND COMMON SENSE AGAINST SURGICAL OPERATIONS FOR THE CURE OF IMPEDIMENTS OF SPEECH. By James Wright, Esq. Sherwood, Gilbert, and Piper, Paternoster row.
- AN EXPOSITION OF THE ACTUAL STATE OF THE UNIVERSITIES. By Samuel Perry. Hatchard, Piccadilly.
- THEOLOGICAL PARTIES IN THE CHRISTIAN CHURCH. By the Rev. Alexander Allan, M.A. A. Brown and Co., Aberdeen.
- EQUITY WITHOUT COMPROMISE; or Hints for the Construction of a just System of National Education. By Edward Swaine. J. Snow, Paternoster row.
- PALMER'S PATENT GLYPHOGRAPHY, OR ENGRAVED DRAWING. 103 Newgate street.
- PHOTOGRAPHIC MANIPULATION. Edward Palmer, Newgate street.
- THE ADVANTAGES AND DISADVANTAGES OF THE FEUDAL SYSTEM. A Prize Essay. By Henry Boothby Barry. J. Vincent, Oxford.
- THE REAL MONSTER EVIL OF IRELAND. By Augustus G. Stapleton, Esq. Hatchard and Son, Piccadilly.
- WHO SHOULD EDUCATE THE PRINCE OF WALES? E. Wilson.

POLITICS.

- THE PERILS OF THE NATION. Seely, Burnside, and Seely, Fleet street.
- BOSANQUET'S ESSAYS. James Burns, 17 Portman street, Portman square.

PHILOSOPHY AND SCIENCE.

- POPULAR CYCLOPÆDIA OF NATURAL SCIENCE, VEGETABLE PHYSIOLOGY, AND BOTANY. Published by the Society for the Promotion of Popular Instruction. Tanner, Brothers, and Co., 6 Amen corner.
- MANIPULATIONS IN THE SCIENTIFIC ARTS. By George Thomas Fisher, jun. George Knight and Son, Foster lane, Cheapside.

THE CLASSICAL MUSEUM. Part I. London: Parker. 1843.

We are induced to notice this first number of a quarterly journal, devoted to subjects of special interest, in order to call the attention of such readers as may be pleased to know that such a work exists, and that it promises to be worthy of support.

The importance of a journal, in which the results of English and continental scholarship can find place, every one will readily admit; but on the manner in which it is executed, and the spirit which presides over the whole, depends the real question. All such works are important or trivial, according to their execution. The present gives promise, and is a fair introductory number. It is, we hear, edited by Dr Leonhard Schmitz, and cannot be in better hands. The friend, disciple, and translator of Niebuhr—a sound ripe scholar, of rare apprehension and comprehensive sympathies—a German, who has made England his country and English his native tongue, is peculiarly fitted to conduct a work like the present.

The number opens with an elaborate investigation of ancient weights, coins, and measures, in a review of Bœckh's celebrated work. It is written by Mr Grote, who occasionally dissents from the conclusions of the illustrious German, and apparently with justice; but where two *such doctors* differ it is not for us to decide. The next paper is an account of the recently discovered inscription of the Hymn to Isis, which Dr Schmitz concludes to have been written about "the end of the third, or at the latest about the middle of the fourth century of the Christian era." We have here all that has been deciphered, as yet, reprinted, with a comparison of the other texts: for there have been three editions. An amusing paper on 'Greek Topography,' by Mr Stanley, will be read with interest; as also that on the 'Meaning and Origin of the Verb *to tirl*,' by Mr G. C. Lewis. The 'Dissertation on a second Bosphorus Cimmerius, and several rivers of the Palus Mæotis,' by Dr Plate, is a valuable acquisition.

We have but one objection to make, and it is one to which we would call the editor's attention before the evil spreads further. There is one mention of Ruperti, the spirit of which is not in good taste. The writer says, "Ruperti's note on this passage is a good sample of critical ignorance;" possibly so: but surely the conclusion that "he *had not read* Herodotus, or he *could not understand him*," is in itself unwarrantable, and offensively expressed? Ruperti was a scholar of merit; but we have no doubt, like all his tribe, fell into many errors. That he was in error on this particular passage we will willingly believe, on Mr Long's authority: an excellent one. What we object to is that tranchant, final, and most injurious way of speaking of men of established reputation. It is one of the vices of classical literature, and reminds us of the judgment delivered by a youth just called to the bar, on one of its brightest ornaments: "Sir," said he, "Mr The-siger is wonderfully overrated: he is *profoundly ignorant of the law*!"

The 'Classical Museum' will doubtless become a valuable organ for English scholarship, and we shall be glad to see it acquiring the influence and importance at which it aims. At no time has there been so great a want of such a journal, and it remains in the conductor's hands to ensure success. There is a large public for classical literature, when ably treated—for who does not love everything connected with the Greeks?—who is not curious about the minutest details of their literature or history? But there is no public for pedantry, word-catching, or trivial theorizing. Men no longer live in cloisters, but in a busy world; and the literature of cloisters, colleges, and coteries, finds no public favour.

G. H. L.

PHOTOGENIC MANIPULATION. By George Thomas Fisher, jun. Geo. Knight and Sons, Foster lane.

THIS "Handbook," which forms one of a series of manipulations in the scientific arts, contains ample and clear instructions in the theory and practice of the various processes by which modern discovery has been enabled to obtain durable images of all objects emitting rays of light. No sooner had the announcement of the daguerreotype been made, than we became acquainted with the fact that several men of science, in this country as well as on the continent, had been for years endeavouring to obtain the same effects, and that even before Messrs Daguerre and Niepce had perfected their invention, Mr Talbot had succeeded in taking durable impressions by the light of the sun. There are now not less than eight different processes for effecting the same object, under the denominations of photography, calotype, cyanotype, ferrotype, chrysotype, authotype, daguerreotype, and thumography. The images in the six first-named processes are received on paper; in the two last on metal surfaces. Hitherto none, in our opinion,

equals in delicacy of execution the daguerreotype. Each process has, however, its peculiar advantages, and in this small manual they are all fully and clearly explained, so that the amateur of the beautiful art of sun-painting may safely proceed without further instruction.

MECHANICAL PHILOSOPHY AND ITS APPLICATION TO THE ARTS. By William B. Carpenter, M.D. (Part III of "Popular Cyclopædia of Natural Science.") Orr and Co. 1843.

THIS work is the third of a series on natural science, and is introduced by the author in these terms.—

"The following little work is intended to occupy a place somewhat intermediate between the simpler elementary treatises on mechanical science, and the more elaborate works of a professedly philosophical character. With the former it has this in common—that the author has aimed to render it adapted to those who have no preliminary knowledge of the subject; and to carry on his readers, step by step, from the known to the unknown, without requiring from them more than an accurate acquaintance with the ground over which they have already passed. To the latter, the author ventures to hope it may be compared in this—that the highest principles of the science are introduced, and exhibited in their connexion with each other, and with the phenomena they govern. He has thus endeavoured to give to his little work the character of a philosophical treatise; whilst, by the number of examples and illustrations which he has introduced, he has aimed at preventing what might have otherwise been its dry and abstruse appearance."

"Some experience as a teacher has convinced him of the necessity of explanations much more ample, and of illustrations much more complete, than those ordinarily given in elementary works; and he has endeavoured to commit to paper the instructions which, when delivered verbally, were successful in impressing the minds of his pupils."

These extracts seem to us a modest statement of what the author has actually effected. He has completely cast the science in his own active, accomplished mind, and given it forth with an amount of clearness and novelty that so hackneyed a subject is rarely made to assume. We are, therefore, both sorry and surprised to find that the '*Athenæum*,' a journal which has, by the general fairness and competency of its judgments, gained a high degree of respect and authority in the scientific world, has indulged in a most illiberal, unjust, and, we will venture to say, foolish onslaught upon this little work.

The writer in the '*Athenæum*' quotes from the treatise the following sentences:—

"Solids exercise attractions over gaseous particles . . . shown by the floating on water of bodies which are really heavier than itself, but which are buoyed up by a layer of air that adheres to them. . . . Thus, with a little care, we may lay a fine sewing needle on the surface of water in such a manner that it will not sink; but if the needle be too thick, its weight will bear a larger proportion to the quantity of air that surrounds it, so that it cannot be made to float."

On this the critic writes the following bombastic apostrophe, which we are sorry to think it necessary to transcribe:—

"Here is a novel and startling scientific discovery with a vengeance. Alas! poor Monge and Segner;—alas! thou universal Dr Young;—oh! poor Gauss, ye knew nothing of the matter; ye have spent the strength and substance of your thought and your calculus in vain upon the theory of capillary attraction; ye were born too soon, for now we see that you troubled your heads in vain to discover the mensures and resultants of all these capillary attractions. The needle swims on the top of the water, just as a shipwrecked cockney would, by being specially furnished for the occasion with an air jacket—a patent Mackintosh (Carpenter's?) water-proof air safety life-preserver."

We have seldom seen a poorer attempt to clamour down a scientific inquirer examining of a plain fact by the help of other facts of the same kind. The reader is not told, amidst the thunders of those great names, that they were very far from agreeing on this very subject, and that names as great have declared that the whole mathematical treatment of capillary attraction is extremely precarious. But let us consider for a moment what the fact is, which is held to be so triumphantly explained by capillary attraction. A needle lies upon the surface of water without sinking, nay without touching the water. The surface of the water absolutely repels it, keeps it a distance, wont allow it to come into contact, and all this it seems by attraction! If mathematics proved that the attraction between water and a needle keeps them asunder, why then we should have a *reductio ad absurdum* of mathematical science itself. No doubt there are cases where numerous attractions combining produce a resultant different from what a superficial observation would expect. But there is no such complexity here. Gravity urges the needle downward; capillary attraction tends likewise to draw it down and to wet it, and in opposition to both it is borne up, kept off from the surface and preserved dry. It hangs suspended in an aerial support with these drags upon it. Now Dr Carpenter is entitled to suppose that some attraction may exist between the air and the solid, in order to account for this unexpected buoyancy; and nothing could be more philosophical or more satisfactory than the manner in which he verifies the supposition, and shows it to be a general and a most important law of nature. We shall quote the other instances that he furnishes of the principle, believing that they will at once be an exposure of his reviewer, and an admirable specimen of the scientific novelty and the excellent style of exposition that characterise the book. After the passage given above, he goes on:—

“It seems that iron surfaces have a peculiar adhesion to air, as the following experiment shows. If we take some iron filings, and sift them upon the surface of water in a tall glass jar, they will float upon the top, until a stratum (or layer) of considerable thickness has thus been laid upon the water. At length this stratum will break up into masses which will sink; and it will then be seen that they have previously been buoyed up by the adhesion of particles of air, which their accumulated weight will even carry to the bottom with them. If we sift powdered magnesia upon water in the same manner, its particles will sink almost immediately; for as they do not possess the same property of causing air to adhere to them, they become wetted by the close contact of the liquid; and being heavier than water, there is nothing whatever to buoy them up. There is a considerable adhesion, also, between glass and air, which is shown in the making of barometers. If we fill a clean glass tube with mercury, we shall find a quantity of small gas bubbles adhering pertinaciously to its sides; many of these may be swept away, by causing a large bubble to pass several times from top to bottom by inclining the tube towards each end alternately; but it will still remain coated throughout with a film, which can only be removed by boiling the mercury in it. Even this, however, does not produce that close contact between the mercury and the glass, which is necessary for the complete exclusion of the air; since, as already stated, the air will creep in, if not prevented by giving to the glass tube a termination of platinum, which is wetted by the mercury.

* This attraction of solid bodies for gases produces several important results in the economy of Nature. There are many insects, which, although they breathe air, are inhabitants of the water; and they are enabled to surround themselves with a film of air, by its adhesion to their hairy bodies, which they can carry down with them for use at a considerable distance beneath the surface. In the same manner, the diving spider carries down successive quantities, by which it gradually fills its delicate little bell with a quantity sufficient for its supply during the whole winter; the amount of adherent air is so considerable, that the spider cannot descend by its own weight, but is obliged to creep, with considerable muscular exertion, down any

stems or leaves that may conduct it from the surface of the water to its destination. There is another most important practical result, that arises from the attraction exercised over gases by many porous substances, which will absorb and retain quantities of gaseous matter equal to many times their own bulk. Thus newly burned charcoal will absorb ninety times its bulk of ammonia (the pungent gas contained in spirits of hartshorn) and thirty-five times its bulk of carbonic acid (the foul air of wells, caverns, &c.), also produced by the breathing of animals, the burning of charcoal, &c. it will also take in watery vapour; the weight of the charcoal being in some cases increased nearly one-fifth by a week's exposure to air. Other porous substances possess the same property, though usually in a less degree; and it is by the exercise of this attraction by our soil, for the ammonia and carbonic acid of the atmosphere, that a large proportion of the nourishment obtained by plants is derived. So large a quantity of common air is sometimes condensed by powdered charcoal, that a great amount of heat is given out by it, according to principles which will be explained in the treatise on heat; and in one instance which has come under the author's knowledge, a cask of animal charcoal in powder had actually become red-hot in the interior, from no other cause."

We could not conceive a better array of facts, either to establish or to illustrate and impress upon the mind a general law of Nature. The reader has now, we think, the materials for judging between the author and his critic in this point.

Let us look at some of the other specimens of fault-finding. "The writer speaks of a *hyperbola*, and instead of it, draws a *circle*,"—by which it seems to be insinuated that he knows not the difference between these two curves. We grant that the figure is badly drawn, and more like a circle than anything else, and wish that the author had not furnished a handle to an uncharitable enemy. No other would take notice of such a thing. Again, the writer slightly misuses the word "welding," in speaking of fixing a ring of platinum in a glass tube. On this the critic gives vent to another exclamation of contempt. His objection to the author's account of the pendulum we do not profess to understand.

Never was there such destitution of proof to support such a quantity of raving. We are bound in charity to suppose, what is in itself quite credible, that the writer in the 'Athenæum' is wholly unacquainted with the great and acknowledged merits of Dr Carpenter as a scientific thinker, exemplified in his 'Principles of General and Comparative Physiology' (noticed in a former number of this Review), and in his more recent work, 'Principles of Human Physiology.' Any one who had read these books might differ from the author, but would hardly venture to charge him with ignorance and superficiality. His eminent originality as an inquirer into the ultimate laws of organic nature is still more remarkably evinced in a paper 'On the Origin and Functions of Cells,' lately read before the Royal Society, and printed in the 'British and Foreign Medical Review,' a paper which must command the highest respect of any one who knows the extreme rarity of the power of systematic and comprehensive generalization, and can value every approach to the explanation of various and complicated phenomena by reducing them to a few comparatively simple principles.

In the little work before us, nothing on so great a scale is attempted; but, notwithstanding the fact, ill-naturedly suggested by the critic, of the existence of many valuable treatises on mechanics, the present work has merit of its own, that render it exceedingly suitable as a text book for the instruction of youth. It is simple enough to be a first book to those who are fit to enter on the subject at all, and it is so full of interesting examples, and carries out the principles so far as to convey, not merely apparent, but real and substantial instruction. We are strongly opposed to the short, skeleton manuals of natural science, intended as a first course, to be followed up by mere detailed treatises. We think it far better to take the oppor-

tunity of giving a thorough account of the subject while its freshness excites an interest and an attention that cannot be again roused. In making his book copious and complete, while he keeps it level to the comprehension of beginners, we think that Dr Carpenter has been acting on a most important view of scientific instruction, which the mass of popular writers have very slightly adverted to. At the same time that we think the treatise happily constructed for beginners, there is so much of novelty and interest in the laying out of the doctrines, in the rich and accumulated illustration of them, and in the new views occurring here and there, as to make it well worthy of the perusal of those already familiar with the science. And for clearing up and fixing the imperfect conceptions of the half-initiated student, we can safely give it our most sincere recommendation. The illustrations to the part of the series which relates to Animal Physiology are from the very beautiful engravings used by M. Milne Edwards in his '*Anatomie Comparative*.'

BENTHAMIANA; OR, SELECT EXTRACTS FROM THE WORKS OF JEREMY BENTHAM.
 Edited by J. Hill Burton, Advocate. Tait, Edinburgh. Simpkin, Marshall, and Co.

THE contents of this work are fully explained by the title. It is a volume which will be welcome to many who wish to obtain a general idea of the principles of Bentham, but have not leisure to peruse the whole of his voluminous writings, and to whom, therefore, the complete edition published by Tait is not adapted. The volume contains a general outline of Bentham's opinions, a brief analysis of his works, a short account of his life, and some of the most favourable specimens of his style and manner of reasoning, arranged under suitable heads. Its publication was a happy thought, for few who read the book will not desire a better acquaintance with its distinguished author, and it must stimulate the appetite of the public for the larger work. Our own opinions of Bentham have been too often expressed in this Review to be now repeated, but a few quotations may still be acceptable, and will show the quality of the extracts selected by the Editor.

LAW AS IT IS, AND AS IT IS SAID TO BE.

ASHHURST.—*No man is so low as not to be within the law's protection.*

"TRUTH.—Ninety-nine men out of a hundred are thus low. Every man is, who has not from five-and-twenty pounds to five-and-twenty times five-and-twenty pounds to sport with, in order to take his chance for justice. I say *chance*: remembering how great a chance it is, that, although his right be as clear as the sun at noon-day, he loses it by a *quibble*. Five-and-twenty pounds is less than a common action can be carried through for, at the cheapest: and five times five-and-twenty pounds goes but a little way in what they call a *court of equity*. Five-and-twenty pounds, at the same time, is more than three times what authors reckon a man's income at in this country, old and young, male and female, rich and poor, taken together: and this is the game a man has to play again and again, as often as he is involved in a dispute, or receives an injury."

GRADUAL REFORM—"ONE THING AT A TIME."

"This is neither more nor less than a contrivance for making out of a mere word an excuse for leaving undone an indefinite multitude of things, which the arguer is convinced, and cannot forbear acknowledging, ought to be done.

"Suppose half-a-dozen abuses, which equally and with equal promptitude stand in need of reform—this fallacy requires, that without any reason that can be assigned, other than what is contained in the pronouncing or writing of the word *gradual*, all but one or two of them shall remain untouched.

"Or, what is better, suppose that, to the effectual correction of some one of these abuses, six operations require to be performed—six operations, all of which must be done ere the correction can be effected—to save the reform from the reproach of

being violent and intemperate, to secure to it the praise of graduality, moderation, and temperance, you insist, that of these half-a-dozen necessary operations, some one or some two only shall be talked of, and proposed to be done ;—one, by one bill to be introduced this session, if it be not too late (which you contrive it shall be) ; another the next session ; which time being come, nothing more is to be said about the matter—and there it ends.

“ For this abandonment, no one reason that will bear looking at can be numbered up, in the instance of any one of the five measures endeavoured to be laid upon the shelf ; for if it could, that would be the reason assigned for the relinquishment, and not this unmeaning assemblage of three syllables.

“ A suit which, to do full justice to it, requires but six weeks, or six days, or six minutes in one day—has it not been made to last six years ? That your caution and your wisdom may not be questioned, by a first experiment reduce the time to five years ; then if that succeeds, in another parliament, should another parliament be in humour (which it is hoped it will not), reduce it to four years ; then again to three years ; and if it should be the lot of your grandchildren to see it reduced to two years, they may think themselves well off, and admire your prudence.

“ Justice—to which in every eye but that of the plunderer and oppressor, rich and poor have an equal right—do nine-tenths of the people stand excluded from all hope of, by the load of expense that has been heaped up. You propose to reduce this expense. The extent of the evil is admitted, and the nature of the remedy cannot admit of doubt ; but by the magic of the three syllables *gra-du-al*, you will limit the remedy to the reduction of about one-tenth of the expense. Some time afterwards you may reduce another tenth, and go on so, that in about two centuries, justice may, perhaps, become generally accessible.

“ Importance of the business—extreme difficulty of the business—danger of innovation—need of caution and circumspection—impossibility of foreseeing all consequences—danger of precipitation—everything should be gradual—one thing at a time—this is not the time—great occupation at present—wait for more leisure—people well satisfied—no petitions presented—no complaints heard—no such mischief has yet taken place—stay till it has taken place :—such is the prattle which the magpie in office, who, understanding nothing, understands that he must have something to say on every subject, shouts out among his auditors as a succedaneum to thought.

“ Transfer the scene to domestic life, and suppose a man who, his fortune not enabling him, without running into debt, to keep one race-horse, has been for some time in the habit of keeping six : to transfer to this private theatre the wisdom and the benefit of the gradual system, what you would have to recommend to your friend would be something of this sort :—Spend the first year in considering which of your six horses to give up ; the next year, if you can satisfy yourself which it shall be, give up some one of them : by this sacrifice, the sincerity of your intention and your reputation for economy will be established ; which done, you need think no more about the matter.”

MONARCHS AND WAR.

“ Monarchs, it may be said, are apt to go to war with each other : and when with any two monarchs this happens to be the case, the subjects of each should in that monarch who is the enemy of their monarch (that is, of their natural enemy) have a friend. But in practice this is not the case. The war which one monarch carries on with another monarch is a war of rivalry, but it is not a war of enmity : every monarch is to every other monarch an object of respect : and where there is respect on both sides, no rooted, no decided enmity can be said to have place on either side. Between monarch and monarch, war is, upon the largest scale, that which between professed pugilist and professed pugilist, it is upon the smallest scale. By one another monarchs are styled brothers, and on that one occasion they are sincere ; for they have a common interest, and that interest is paramount to every other interest. Many a monarch has given up to a brother monarch, and freely too, dominions which he might have kept if he had pleased. No monarch ever gave up freely to his own subjects an atom of power which in his eyes could be retained with safety. War is a game—a game of backgammon. Between two players at the game of war, there is no more enmity than between two players at backgammon.

In the breasts of the players at war there is no more feeling for the men of flesh and bone, than during the game at backgammon there is on the part of the men of wood for one another or themselves. While to one another all monarchs are objects of sympathy, to all monarchs all subjects are objects of antipathy; of a sort of compound sentiment, made up of fear, hatred, and contempt; something like that which women and children are apt to feel for a toad. In the breasts of all monarchs there accordingly exists at all times a natural alliance, defensive and offensive, against all subjects.

"Between injurer and injured, the man on whose part antipathy towards the other is most apt to rise, is he by whom the injury has been inflicted: the one on whose part it arises with greatest difficulty, if ever it arises at all, is he by whom the injury has been sustained.

"Betwixt every monarch and every other there exists a powerful cause of sympathy. In the instance of all of them, on the same set of principles, is grounded that obedience by which their power is constituted, and in proportion to which it has place: disposition the effect of habit: habit the effect of force, fear, corruption, delusion, sinister interest, interest begotten and authority-begotten prejudice. By every other throne he sees shaking, if the shock be from without, he feels the shock communicated to his own."

PHILOLOGICAL PROOFS OF THE ORIGINAL UNITY AND RECENT ORIGIN OF THE HUMAN RACE. By A. J. Jonnes, Esq.

"In these pages," says the author, "are embodied proofs, from language, of the two following propositions:—1, That the various nations of our globe are descended from one parent tribe: 2, That the introduction of the human species into the system to which it belongs cannot be referred to an epoch more ancient than the era indicated as the date of that event by our received systems of chronology."

The comparatively recent origin of the human race has been all but demonstrated by geologists upon irresistible data; but the attempt to prove it by the real or fancied resemblances between the words of all ancient and modern languages must always be unsatisfactory. Who can decide at what period those resemblances would naturally cease? Supposing that all languages might ultimately be traced to the Welsh or Chinese, what would that teach us of the length of time during which language had assumed either of those forms or forms of still earlier antiquity? But neither is the original identity of all human languages to be proved by a few resemblances between terms having a common acceptation. Many might be mere coincidences, and many more but modifications of the first inarticulate cries of infancy. It is quite consistent with the hypothesis of different races, that different nations should sometimes employ the same sounds in the same sense, all having the same organs of speech. Of course, it is easy to show the influence of the German language in the structure of the English, but the connexion between German and the negro dialects of Africa is not quite so clear, and we look with a very sceptical eye over the tables of the present volume. We have not, however, the leisure to enter fairly and fully into the discussion, and we will not, therefore, dwell upon the defects, or touch upon the mistakes in the work which strike us upon a cursory examination of its contents. We may say, in favour of the book, that it is one which displays much painstaking research, and to many philologists we have no doubt it will be acceptable. To others, the best criticism of the work would be that of Hamlet's,—'Words, words, words.'

POETRY AND THE DRAMA.

SELECTIONS FROM THE DRAMAS OF GOETHE AND SCHILLER. Translated by Anna Swanwick. J. Murray, Albemarle street.

SACRED POEMS. By John Edmund Reade. Saunders and Otley.

C. KNIGHT'S LIBRARY EDITION OF SHAKESPEARE. Vol. VIII: Tragedies, CANT; a Satire. Darton and Clarke.

LAUNCELOT OF THE LAKE; a Tragedy in Five Acts. By C. J. Riethmüller. Chapman and Hall, Strand.

THE HIGHLANDS, THE SCOTTISH MARTYRS, AND OTHER POEMS. By the Rev. James G. Small. Edinburgh: William Whyte and Co. Glasgow: W. Collins. London: Longman and Co., and J. Nisbet and Co. 1843.

MOST of the poems contained in the present collection were, it should seem, written during the author's literary course of studies at the University of Edinburgh, the two principal pieces being prize compositions for Professor Wilson's class, to whom the work is inscribed.

In the first of those, 'The Highlands,' though belonging to the class of descriptive poetry, are embodied many of the dark superstitions—the deadly feuds, and the warlike deeds of the ancient Gael, which impart additional life and interest to the scenes through which we are led.

We listen not unmoved to the description of that Holy Isle, whence emanated the light and civilization which became gradually diffused amongst the surrounding barbarian hordes; and view with interest the ground where the ill-fated grandson of the VIIth James perished, and lost his hereditary crown; or suppress deep indignant feelings, while treading with the poet the dread Glencoe, and recalling to mind those deeds of darkness—

"Which dyed with crimson Cona's roaring flood,
And made this rugged vale 'a field of blood.'"

The second poem, the 'Scottish Martyrs,' contains many passages replete with genuine poetical feeling, to which recent occurrences have imparted peculiar interest. Though, indeed, the history of the martyr-age of Scotland,—of those stern uncompromising men, aye, and of women also, who, amidst bonds and imprisonment, and in view of death, under its most appalling form, shrank not from an avowal of the "faith that was in them," must ever prove a subject of deep interest to the philosopher and the politician, whatever opinion they may entertain of the cause for which they made so glorious a sacrifice.

As an illustration of Mr Small's powers, we quote the concluding lines of the 'Martyrs':—

"Nor hath the spirit fled that nerved each hand,
And fired each heart in that devoted band;
Again the trumpet-call to arms is heard,
And all the camp from end to end is stirred:
Again each warrior girds him for the fight;
Again a thousand swords are gleaming bright:
Again the banner floats upon the air;
Still are these sacred words emblazoned there,
CHRIST'S CROWN AND COVENANT. Ho! all ye who prize
The rights your fathers died for, wake, arise!

* This dark page of our country's annals has afforded a theme for the pen of the novelist and the dramatist, nor have attempts been wanting to shield the memory of William from the odium of the base transaction, by shuffling the blame on the shoulders of Bredalbane. Without taking into account the facility with which reigning monarchs can suppress evidence of their own misdeeds, the impunity of the Glenlyon, and the languor, or total suppression of all inquiry into this horrible tragedy, have left a stain on the memory of William, which even Burnet, one of his staunchest admirers, is compelled to admit.

In one firm phalanx, one united band,
 Undaunted and unflinching, take your stand ;
 Calm, yet unmoved, constant and undismayed,
 What powers soe'er against you be arrayed.
 High is the rank to thee, O Scotia, given,
 And rich the tokens of a favouring Heaven ;
 Blest art thou in the light that pours around ;
 Blest in the hearing of the joyful sound ;
 Blest in the stream that never-failing runs,
 And gives its living waters to thy sons ;
 Blest in the manly hearts that guard thy shore ;
 Blest in those scenes, sublimely stern, that pour
 Their deep, inspiring influence through the breast ;
 Yea, God hath blessed thee, and thou shalt be blessed :
 But marked thou art among all lands by this,
 Thy lofty calling, thy peculiar bliss,
 That to thy charge, my country, hath been given
 The royal banner of the King of Heaven ;
 And thou hast still displayed it, wide unfurled,
 Before the face of an opposing world.
 In weal and woe, 'mid triumph and 'mid scorn,
 The blessed ensign still thy sons have borne,
 Proclaiming loud, despite of mortal pride,
 That Christ is King, and there is none beside.
 Bear on that banner still, and let it float
 O'er thine own isle, and far 'mid realms remote,
 Secure that still shall stand the high decree
 That to this King all flesh shall bow the knee,
 And every tongue shall be constrained to own
 That He is Lord o'er all, and He alone."

The 'Fall of Greece,' also a prize poem, will lose nothing in comparison with the majority of similar productions. Several of the smaller poems have already appeared in different periodicals.

Amongst the pictorial illustrations is a view of the drear Pass of Killiecrankie, famous in story as having been the scene of a fierce encounter between the king's troops, under General Mackay, and a body of Highlanders, in which

* * "Fell the 'Bold Dundee'* amid the fray,
 Victorious, expiating, as they say,
 By this so glorious death, the deeds that stained
 His past career.—Ah ! not thus washed away
 Could be the gore upon those hands engrained
 Whereby the noblest blood of Scotia's sons was drained."

RELIGION.

PARKER'S DISCOURSE OF RELIGION. Little and Brown, Boston.

THE PAPAL AND HIERARCHICAL SYSTEM. Charles Gilpin, Bishopsgate street Without.

CATHOLIC IMPUTATION. By Vanburgh Livingstone, Esq. Casserby and Sons, Nassau street, New York.

TWELVE TRACTS ON THE TRACTARIAN AND ROMISH DOCTRINES. The British Reformation Society.

* The celebrated Graham of Claverhouse, Viscount Dundee, known under the popular appellation of the "Bloody Graham."

SERMONS PREACHED ON VARIOUS AND PARTICULAR OCCASIONS. By William Jay. C. A. Bartlett, 66 Paternoster row.

DODD'S CHURCH HISTORY OF ENGLAND. By the Rev. M. A. Tierney, F.R.S., F.S.A. Vol. V. C. Dolman, 61 New Bond street.

ON THE ETYMOLOGY AND PROPHETIC CHARACTER OF THE PROPER NAMES FOUND IN THE OLD TESTAMENT; being a Key to the Masoretic Punctuation of the Hebrew Scriptures. By William Beeston. J. Hearn, 81 Strand.

THE PAPAL AND HIERARCHICAL SYSTEM COMPARED WITH THE RELIGION OF THE NEW TESTAMENT. London: Charles Gilpin. 1843.

THE present author does not confine the Papal and Hierarchical system exclusively to the Church of Rome. He extends it to every system which places man under the rule of man in matters of religion, and more particularly to those which place the laity under the rule of the clergy. The Greek Church has its hierarchy under the supreme government of a Patriarch; the Anglican Episcopal Establishment owns the rule of a temporal monarch; the Scottish Kirk is governed by its synods; the Methodists by a somewhat similar council; few Christian sects are, indeed, destitute of some form of ecclesiastical domination. But it is in Rome that we find man's authority over man, in religion, carried out into its full and legitimate results. Seated, in temporal as well as spiritual authority, on her seven hills, the Romish Church professes to spread her arms over the whole earth; she marshals her ecclesiastical soldiers with military precision, and rejoices in her army of monks and friars. "Absolute and implicit obedience to ecclesiastical superiors" is the motto inscribed on her banner, and her true rest is in the never-dying central authority of her Pope.

The religion of the New Testament, on the contrary, recognizes Jesus Christ as the sole Head and High Priest, who alone rules the Universal Church, according to His spirit and His will, and will ultimately award to every man according to his works.

"Between the *fulness* of the authority of God," says our author, "and that of man, in matters of religion, there is, as I believe, no permanent resting-place. Mediums have been tried in a variety of forms, and on an extensive scale. But the sentiment which has now been expressed appears to be confirmed by the fact, that a large proportion of the clergy of episcopal churches is, at this very time, notoriously rushing back into the bosom of Popery. Retrograde movements of the same nature (though different in degree) may be traced in the decrease of original simplicity, and the increase of form and splendour, in the worship of some of the nonconforming bodies."

The work is written in a truly catholic spirit, and free from the rancour and bigotry which too often find a place in productions of a similar nature.

PRINCIPIA: a Series of Essays on the Principles of Evil manifesting themselves in these last Times in Religion, Philosophy, and Politics. By S. R. Bosanquet, Esq. London: James Burns. 1843.

THIS work is ushered in by a wordy comparison between the signs of improvement and those of decline in the present time; which is followed out by reference to particular instances, in the Essays which succeed.

Though willing to award to the author the praise of good intentions, we cannot agree with him in many of his conclusions. For instance, we can-

not adopt his sweeping condemnation of the introduction of machinery, or believe, that directing the industrial energies of our population solely to agricultural pursuits, might have warded off, or could now prove a panacea, for misery and destitution. Again, in our ignorance, we deemed that the building of churches and chapels had rather outrun the need of the community;—but the present author regards the paucity and plainness of Britain's sacred fanes as one of the signs of the decline of religion, both in the government and amongst the people. We cannot join in his lamentations over the two churches taken down near the Bank, and replaced by mercantile offices—not mourn with him over the demolition of thirty-nine *huge convents* in Madrid, and similar spoliation of church property in Rome, Switzerland, &c., nor regard it as a sign of the declension of religion at home, that in London a church tower has given place to one angle of the New Royal Exchange.

We cannot travel with our author through the numerous symptoms he adduces of the decline of reverence for religion in the government, such as the diminution of the number of spiritual peers in the Upper House,—the discontinuance of the judges' preachings in Sergeant's inn chapel—the degradation of marriage to a mere civil contract—the desecration of baptism by Act of Parliament—and the theatres suffered to be open in Lent. The practice of business, and the habits of private life, also, according to him, bear witness to the general decline of religious reverence amongst all ranks. Bills of lading—bottomry bonds—the judge's charges to the jury,—petitions to the House of Commons, physician's receipts, &c., are now all shorn of the prayers with which they formerly began or terminated. That England is the most irreligious country amongst the nations of the earth, the author deduces from the general opinion of foreigners,—our conduct in the colonies,—from the stinted time set apart for religious exercises at home,—from what he deems an inadequate provision for the clergy,—the absence of all religious festivals and processions; in short, he applies the plummet of Puseyism to our national establishments, and finds it rickety, disproportionate, and unsightly.

This sweeping condemnation of classical literature, logical forms of reasoning, and rhetoric, which last he regards with St Augustine, as “a system of lies;” and the revival of the arts under the Medici, as a revival of paganism. His laudation of Chinese civilization and happiness is unbounded; the Jews, he says, have a language and literature which peculiarly fit them for becoming the authorised interpreters of the sacred writings.

In the Essay entitled the Image of the Beast, some pertinent remarks occur on the vices of great cities—Quaker education, &c., but so embedded beneath a crust of mysticism and superstition that they would scarcely reward the labour of exhumation.

The same remark applies with still more force to the Essay on the False Principles of Philosophy, Liberty, &c.

In the Essay on the False Principles of Politics, the author assumes the prophetic character, and foresees in the struggles for power by hierarchies and religious authorities, a preparation for a millennium of peace and love on earth.

In the examination of the false principles of manufactures and trade, the condemnation of machinery, and of the undue extension of commerce, is more largely insisted on, and the same leaning towards agriculture displayed as in the former portions of the work.

That England is sowing the principles of evil in the world, the author

attempts to prove by a review of her commercial and monetary systems, the secular character of her missions, and brings a long array of authorities, sacred and profane, to prove that great riches are an evil, both to States and individuals, and terminates by prophesying the possibility of another dark age.

MAMMO-MANIA ; OR, THE APOSTACY OF THE AGE UNVEILED. By Anti-Mammon. Templeman.

WE find in the fourth section of this book the following explanation of the author's objects and principles :—

“ We believe that **MAMMON**, the god of wealth, the spirit or genius of that wealth which is the key to all those worldly advantages which the Bishop of London appreciates so highly, is **ANTICHRIST**,—is the very arch antagonist of the Christian dispensation now on the earth,—and that there is actually such a person, spirit, genius, demon, or being as **MAMMON** extant and everywhere present in all Christian communities.”

We believe so too, and we shall feel happy if this expression of an opinion according with his own should be satisfactory to the author. The fact, however, is not very new, and we much fear its re-discovery and announcement by Anti-Mammon will not produce that startling impression on the public mind to be desired, for the sake of a thorough reform and purification of the Church.

THE BOOK OF COMMON PRAYER WITH PLAIN TUNE. J. Burns, Portman street. A HANDSOME volume in red and black letter, with the original plain chants, and in the original music notation, of the sixteenth century. The work has a wonderful resemblance to an old ornamented Roman Catholic missal, and as such will be dear to the numerous followers of Father Pusey, who are doing their best to persuade Father Time that he has been standing still for the last three hundred years. We can, however, conscientiously recommend the book to our fair readers; the ornamental borders of the letter-press to every page contain a great variety of most beautiful patterns for lace, and it would perhaps be difficult to find a more attractive looking volume for an acceptable present to a modern fashionable devotee.

VOYAGES AND TRAVELS.

MEN AND MANNERS IN AMERICA. By J. Hamilton, Esq. Blackwood and Sons, Edinburgh.

AUSTRIA AND ITS INSTITUTIONS. By W. R. Wilde, M.R.S.A. William Curry and Co., Dublin.

HISTORY OF THE SANDWICH ISLANDS. By J. Jackson Jarves. E. Moxon. THIS is the work of an American writer, a fact which, without the date of the preface from Summer street, Boston, is evident from the occasional use of phrases which would have startled Johnson, but which we doubt not are deemed good English—in America. With this drawback, which is not a very serious one, the work may be recommended to the reader as a well-told historical and personal narrative relating to the most important cluster of islands in the North Pacific. We learn that the author, in search of health and recreation, landed in 1837 upon one of the islands of this group

(Oahu), with prejudices against the people and their missionary leaders, which his subsequent inquiries seem to have dispelled. Instead of confirming the statements he had read of other writers, that the natives of these islands were wholly priest-ridden and governed by men actuated more by a spirit of worldly aggrandisement than religion, he bears honourable testimony to the usefulness of missionary labours, and the high moral influence of the individual missionaries, whose influence (deservedly, as it appears) is the greatest.

In the first chapter we are enlightened upon the proper names of those and other islands of the Pacific, hitherto incorrectly written.

"Ignorance of the structure of the Polynesian language led Cook into error in regard to the proper names of many islands. Hawaii, he called Owhyhee; Kauai, Atooi; Niihau, Onchow; substituting compound words for single terms. The mistake was a natural one, though the more correct ear of Ledyard seems to have detected the difference. The O is the sign denoting the nominative case, answering to the question, who or what, and not part of the proper name. Thus—if he asked what land was that, the answer would have been, 'O, Hawaii,' Hawaii. No Hawaii, of or belonging to Hawaii, is the possessive, and I or Mai Hawaii, to and from Hawaii, the objective. If he inquired the names of the group, the answer would have been, O, Hawaii, Maui, Molokai, Oahu a (and) Kauai—a being the copulative conjunction, and necessarily placed before the last-named island. This, probably, was the occasion of its being prefixed to Kauai. Onchow was formed the same as Owhyhee—Otaheite for Tahiti."

The work proceeds to describe the volcanic character of the group and their physical phenomena; climate, soil, and vegetable productions. The historical part includes the traditional records of the islanders. The natives' account of Cook's visit will be read with interest.

"On the following evening, the ships came to anchor in Waimea Bay, on the south side of Kauai. As the islanders were not generally apprised of their arrival until morning, their surprise was then extreme. They asked of one another, 'What is this great thing with branches?' Some replied, 'It is a forest which has moved into the sea.' This idea filled them with consternation. Kaneonea and Keawe were the chief rulers, and reigned over both islands. They sent men to examine the wondrous machines, who returned and reported abundance of iron, which gave them much joy. Their description of the persons of the seamen was after this manner: 'foreheads white, bright eyes, rough garments, their speech unknown, and their heads horned like the moon;' supposing their hats to be a part of their heads. Some conjectured them to be women. The report of the great quantity of iron seen on board the ships, excited the cupidity of the chiefs, and one of their warriors volunteered to seize it, saying, 'I will go and take it, as it is my business to plunder.' He went, and in the attempt was fired upon and killed. * * *

"The wonderful news spread rapidly. It soon reached Oahu, from whence one Moho, a Hawaiian, carried the particulars to Kalaniopuu, king of Maui. The strange spectacle of the vessels, with their sails, spars, and flags, were minutely described. 'The men,' he said, 'had loose skins (their clothes), angular heads, and they were gods indeed. Volcanoes, belching fire, burned at their mouths (tobacco pipes), and there were doors in their sides for property,—doors which went far into their bodies (pockets), into which they thrust their hands, and drew out knives, iron, beads, cloth, nails, and everything else.' In this description, which he gave second-hand, he appears to have considered the ships, equally with their crews, as animated beings, else so to have confused the two as to have forgotten their appropriate distinctions—an error into which savages readily fall, and which accounts for the great abundance of fables and confused description which usually pervades their stories. He also mimicked their speech, representing it rough, harsh, and boisterous."

The author attributes the death of Captain Cook to causes which, if not in

themselves sufficient reasons to justify the natives in the act of his assassination, tend greatly to palliate the deed, and assuredly represent the conduct of the great navigator in a far from favourable light. It appears incontestible that Cook was received as a god, and that, with a most culpable weakness, he allowed sacrifices to be offered to himself and honours intended as divine worship, without any attempt to undeceive the credulous multitudes by whom he was surrounded.

"Heralds announced his approach, and opened the way for his progress. A vast throng crowded about him. Others, more fearful, gazed from behind stone walls, from the tops of trees, or peeped from their houses. The moment he approached, they either hid themselves, or covered their faces with great apparent awe; while those nearer prostrated themselves on the earth with the deepest humility. As soon as he passed, all uncoiled themselves, rose, and followed him. As he walked fast, those before were obliged to bow down and rise as quickly as possible; but not always being sufficiently spry, were trampled upon by the advancing crowd. At length the matter was compromised, and the inconvenience of being walked over avoided by adopting a sort of quadruped gait; and ten thousand half-clad men, women, and children, were to be seen chasing, or fleeing from Cook, on all-fours.

"On the day of his arrival, Cook was taken to the chief heiau, and presented in great form to the idols. He was led to the most sacred part, and placed before the principal figure, immediately under an altar of wood, on which a putrid hog was deposited. This was held toward him, while the priest repeated a long and rapidly enunciated address; after which he was led to the top of a partially-decayed scaffolding. Ten men, bearing a large hog, and bundles of red cloth, then entered the temple, advanced near him, and prostrated themselves. The cloth was then taken from them by a priest, who encircled Cook with it in many folds, and afterwards offered the hog to him in sacrifice. Two priests, alternately and in unison, chaunted praises in honour of Lono; after which they led him to the chief idol, which following their example, he kissed."

If it were folly (to use the mildest term) on the part of a British commander to lend himself to this delusion, his subsequent disregard of all that the natives held sacred, was the most criminal imprudence. Nothing but madness could excuse the conduct of Captain Cook in violating, for the sake of fuel, a religious temple, and carrying off its idols for fire-wood.

"Ledyard, in his relation, states that Cook offered two iron hatchets for the fence, which were indignantly refused, both from horror at the proposal, and the inadequate price. Upon this denial, he gave orders to his men to break down the fence and carry it to the boats, while he cleared the way. This was done, and the images taken off and destroyed by a few rough sailors, in the presence of the priests and chiefs, who had not sufficient resolution to prevent this desecration of their temple, and insult to the names of their ancestors. Cook once more offered the hatchets, and with the same result. Not liking the imputation of taking the property forcibly, he told them to take them or nothing. The priest to whom he spoke trembled with emotion, but still refused. They were then rudely thrust into the folds of his garment, whence, not deigning to trouble them himself, they were taken by one of his attendants, by his orders. During this scene, a concourse of natives had assembled, and expressed their sense of the wrong in no quiet mood. Some endeavoured to replace the fence and images, but they were finally got safely on board."

After such an act of sacrilege, we need not wonder that a simple-minded people should exchange their first feeling of awe for one of resentment, and that every subsequent step in their intercourse should only serve to increase the misunderstanding. The catastrophe was brought about by the loss of a boat, and an attempt on the part of Captain Cook to seize the king as a hostage for its restoration:—

"Before he had conversed ten minutes with Teraibou, he was surrounded by three or four hundred people, and about half of them chiefs. Cook grew uneasy when he observed this, and was the more urgent to have Teraibou to go on board, and

actually persuaded the old man to go at length, and led him within a rod or two of the shore: but the just fears and conjectures of the chiefs at last interposed. They held the old man back, and one of the chiefs threatened Cook, when he attempted to make them quit Teraibou. Some of the crowd now cried out that Cook was going to take their king from them and kill him; and there was one in particular that advanced towards Cook in an attitude that alarmed one of the guard, who presented his bayonet and opposed him, acquainting Cook in the meantime of the danger of his situation, and that the Indians in a few minutes would attack him; that he had overheard the man, whom he had just stopped from rushing in upon him, say that our boats which were out in the harbour had just killed his brother, and he would be revenged. Cook attended to what this man said, and desired him to show him the Indian that had dared to attempt a combat with him; and as soon as he was pointed out, Cook fired at him with a blank. The Indian, perceiving he received no damage from the fire, rushed from without the crowd a second time, and threatened any one that should oppose him. Cook, perceiving this, fired a ball, which entering the Indian's groin, he fell and was drawn off by the rest.

"Cook, perceiving the people determined to oppose his designs, and that he should not succeed without further bloodshed, ordered the lieutenant of marines, Mr Phillips, to withdraw his men and get them into the boats, which were then laying ready to receive them. This was effected by the serjeant; but the instant they began to retreat, Cook was hit with a stone, and perceiving the man who threw it, shot him dead. The officer in the boats observing the guard retreat, and hearing this third discharge, ordered the boats to fire. This occasioned the guard to face about and fire, and then the attack became general. Cook and Mr Phillips were together a few paces in the rear of the guard, and, perceiving a general fire without orders, quitted Teraibou, and ran to the shore to put a stop to it; but not being able to make themselves heard, and being close pressed upon by the chiefs, they joined the guard, who fired as they retreated. Cook, having at length reached the margin of the water, between the fire of the boats, waved with his hat for them to cease firing and come in; and while he was doing this, a chief from behind stabbed him with one of our iron daggers, just under the shoulder-blade, and it passed quite through his body. Cook fell with his face in the water, and immediately expired. Mr Phillips, not being able any longer to use his fuzee, drew his sword, and engaging the chief whom he saw kill Cook, soon despatched him. His guard in the meantime were all killed but two, and they had plunged into the water, and were swimming to the boats. He stood thus for some time the butt of all their force, and being as complete in the use of the sword as he was accomplished, his noble achievements struck the barbarians with awe; but being wounded, and growing faint from loss of blood and excessive action, he plunged into the sea with his sword in his hand, and swam to the boats; where, however, he was scarcely taken on board, before somebody saw one of the marines, that had swam from the shore, lying flat upon the bottom. Phillips, hearing this, ran aft, threw himself in after him, and brought him up with him to the surface of the water, and both were taken in.

"The boats had hitherto kept up a very hot fire, and lying off without the reach of any weapons but stones, had received no damage, and, being fully at leisure to keep up an unremitted and uniform action, made great havoc among the Indians, particularly among the chiefs, who stood foremost in the crowd and were most exposed; but whether it was from their bravery, or ignorance of the real cause that deprived so many of them of life, that they made such a stand, may be questioned, since it is certain that they in general, if not universally, understood heretofore, that it was the fire only of our arms that destroyed them. This opinion seems to be strengthened by the circumstance of the large thick mats they were observed to wear, which were also constantly kept wet; and, furthermore, the Indian that Cook fired at with a blank discovered no fear when he found his mat unburnt, saying in their language, when he showed it to the bystanders, that no fire had touched it. This may be supposed, at least, to have had some influence. It is, however, certain, whether from one or both these causes, that the numbers fell made no apparent impression on those who survived; they were immediately taken off, and had their places supplied in a constant succession.

"Lieutenant Gore, who commanded as first lieutenant under Cook in the 'Reso-

lution,' which lay opposite the place where this attack was made, perceiving with his glass that the guard on shore was cut off, and that Cook had fallen, immediately passed a spring upon one of the cables, and, bringing the ship's starboard guns to bear, fired two round shot over the boats into the middle of the crowd; and both the thunder of the cannon, and the effects of the shot, operated so powerfully that it produced a most precipitate retreat from the shore to the town."

"The following, translated from the Hawaiian history, briefly recounts the particulars :—

"The captain demanded that the king should obtain and restore the boat, but this could not be done, as it had been demolished by the natives for the sake of its iron. Captain Cook went on shore with a party of his armed men to fetch the king on board his ship, and to detain him there till the boat should be restored. While he was endeavouring to accomplish this object, Kekuhaupio crossed the bay from Keaia to Kaawaloa, accompanied by Kalimu, another chief, in a separate canoe. They were fired upon from the ship, and Kalimu was killed, on which Kekuhaupio rowed rapidly to Kaawaloa, and employed his influence to dissuade Kalaniopuu from going to the ship. On the circulation of the news of Kalimu's death, the people became clamorous for revenge, and one with a short dagger in his hand approached Captain Cook, who, apprehensive of danger, fired his gun at him. The contest now became general. The captain having with his sword struck Kalaimanohoo, a chief, he seized him with his powerful hand in order to hold him, but with no idea of taking his life, Lono being, as the chief supposed, a god, could not die. But on his crying out, as he was about to fall, the chief concluded he was a man—not a god,—and therefore killed him. Then the foreigners in the boat discharged their muskets, and many of the natives were cut down by their fire, against which they found the mats that were employed to shield them a poor defence. Guns also on board the ship were discharged, which killed others, so that Kalaniopuu fled inland to the precipice with his chiefs and people, taking with them the body of Captain Cook and four of his companions who had been slain. The king then presented the body of the captain in sacrifice, and after that ceremony was performed, proceeded to remove the flesh from the bones, to preserve them. The flesh was consumed with fire. The heart was eaten by some children, who had mistaken it for that of a dog; their names were Kupa, Mohoole, and Kaiwikokoole. Some of the bones of the captain were afterwards returned to the ship, and the rest preserved by the priests and worshipped."

Public attention has recently been drawn to these islands by the recent movements of the French in the Pacific, and the writer advocates the prompt and efficient interference of England and the United States to arrest their further conquests; but this is a subject the discussion of which we must reserve for a future opportunity.

LETTERS FROM THE VIRGIN ISLANDS; illustrating Life and Manners in the West Indies. London: John Van Voorst. 1843.

To the philanthropist, the statesman, the political economist, and the mercantile speculator, the present condition of our West India Islands must afford a subject of deep and paramount interest. Those, however, who open the present volume in the hope of meeting with any profound or philosophical views on colonial policy, emigration, slavery, the experiment of negro emancipation, &c. will be grievously disappointed; though many incidental remarks thrown out by the author, as it were at random, are not without their value.

This group of islands was discovered by Columbus in 1493, and named by him 'Las Virgines,' in accordance with the Romish legend of St Ursula and her eleven thousand Virgins. Other accounts, however, assert that they were baptized by Drake, in 1526, in compliment to the Virgin Queen of England.

Virgin Gorda, or Penniston, corrupted into Spanish Town, is nearly the

eastermost of a group including about forty islets, in latitude $18^{\circ} 30' N.$, the longitudinal meridian of $65^{\circ} W.$ passing through their centre. From Anegada to St Croix, the extremes of this belt, are nearly twenty-five leagues.

Strong tidal currents prevail through this densely-clustered group, especially between Penniston and the eastern extremity of Tortola, which renders all intercommunication amongst them dangerous, sometimes wholly impracticable. The British seem to have asserted a claim to La Virgin Gorda so early as 1625, in which year Charles I granted, by patent, Tortola and its dependencies to James Hay, Earl of Carlisle, who it does not appear, however, attempted to profit by the grant, and Tortola was first settled about 1618 by a few Dutch buccaniers. These were ejected by a stronger party of freebooters, who by way of protection hoisted the British flag, and thus became self-naturalized subjects of this realm. The English government seems to have felt no scruple, however, in availing itself of this questionable right of occupancy, for in the next reign the Virgin Islands were annexed to the leeward-island government, and henceforward the English claim to this group seems to have been unquestioned.

About a century and a half ago a few English families settled in the colony. Their resources, though confined, were adequate to their wants; a governor acted as justiciary, and, with his council, formed an executive body. This simple and unexpensive government was, however, superseded by a charter embodying a machinery of litigation, for which the islanders stipulated to pay $4\frac{1}{2}$ per cent. for ever on all sugars exported by them, which was confirmed by the first act of assembly, held at Tortola, in 1774, to which was appended a clause granting a salary of 400 currency to the governor.

The position of Tortola and the surrounding islets, given by our author, could be only imperfectly understood without a reference to the chart, and the town itself contains no features of peculiar interest. During his brief sojourn the author attended a meeting of the Wesleyan mission, which displayed a show of beauty similar to what is beheld in such gatherings at our own Exeter Hall; but the same invidious distinction had crept within the walls of this conventicle, in regard to the sittings of the coloured population, as elsewhere.

A ride round Tortola, a visit to a manager's residence, and the inspection of his sugar-works, are related in a very commonplace style. Here the negro women of the estate were congregated to receive their weekly dole of provisions. Each received from three to five dried fish, and several quarts of ground maize. The author expresses disgust at the half-naked state of the predial female slaves, as well as of the field gangs; but he acquits the planters of Tortola of undue severity toward the slave, and instances the punishment of the Hon. A. W. Hodge, in 1811, in proof that it could not be practised with impunity.

Pass we over the portrait of his honour the president, and proceed to sketch an election in the Virgin Islands.

Colonel Maxwell directed an officer to proceed, before a given day, to Great Jose Vandyke's, and there hold a poll for the return of two *white* freeholders to the General Assembly of Tortola.

"The electioneering was soon dispatched; three sun-dried mortals declared the candidates, who came with us, to be unanimously chosen. They had good reason for saying as much, seeing themselves composed the whole body of constituents. This, perhaps, may not be without its parallel elsewhere, but hardly so the representatives' feast that followed.

"In the chair sat one of the honourable members just elected, an old legislator, to whom public rumour assigns the unfavourable report of Nottingham's family,

as published by Macquæan. His colleague, whose honours are yet in embryo, fronted him as the Vice; but good cheer was equally discoverable at either end. There was turkey from Barbadoes, roast pig from Tortola, English goose, and Westphalia ham; there were Irish potatoes, native eddoes, and squashes from the Croix; there were capavas of this climate, and corn-bread from Jonathan's land; there was Schiedam, Cognac, and whiskey, and the Madeira they export at Tenc-riffe; there were pines of the Virgins, limes that grow in some, and cocoa-nuts throughout all the islands; there was abundance of 'ebbery ting, massa.' We drank the glorious charter of Tortola, and blessed the king who gave it in his successor, the fourth George, whereat Mr Chairman returned thanks, as became him. We proposed the independence of our Lower House, and the Vice eulogised his constituents.

"At sunset, as we sailed homewards, I gazed back on the rude prospect of the morning; the mountains frowned over the little cove as before, seemingly in stern recklessness of the civic drama we had enacted there."

Within twenty years after St Thomas's became a free port, the free population increased from fifteen hundred to as many thousands. The prohibitory system so long pursued by Britain, and later disturbances on the Spanish main, have contributed to swell the commerce of this harbour, by rendering it a depot for contraband goods, and every article, from a toy to a steam-boat, may find purchasers at St Thomas's.

"Whether your vessel is freighted with Manchester goods or the cattle of Porto Rico, her trifling harbour dues are regulated solely by the tonnage; the slaver and the missionary-ship being equally welcome in these *liberal waters*."

The flock of Israel fold thick and fare well at this place; they are the dispensers of spirituous liquors, and *friperie*, which last are exposed at their doors after the manner of East Smithfield.

At page 191 the author gives us 'Notes of a Slaving Voyage,' by Mr Howard, the surgeon of a Guinea-man; a document of little interest at the present day, since the horrors of this justly-stigmatised traffic—

"Which spoils unhappy Guinea of her sons"—

has been often more forcibly depicted.

The present author agrees with those who are of opinion—

"That the slave-system in our colonies, sought, continued, and supported by the British nation for so many ages, cannot *immediately and at once* be abolished, without wreck of property and loss of life, both to the planter and to the slave."

We have already said that the present work is destitute of enlarged and philosophic views respecting the subjects of which it treats; but we cannot agree in the sweeping condemnation of a contemporary critic, who deems it "wholly unworthy of publication."

MEN AND MANNERS IN AMERICA. By Thomas Hamilton, Esq.
Blackwood and Co.

A NEW edition, in a single volume, corresponding in size with 'Blackwood's Novels,' of a work on the United States, by the late lamented author of 'Cyril Thornton,' a shrewd and keen observer of 'men and manners,' whether abroad or in his own country. The work is not free from a Conservative bias, but still deservedly ranks high as one of our standard authorities on America.

CHANGE FOR THE AMERICAN NOTES. By an American Lady.
Wiley and Putnam.

A VOLUME containing the first impressions of an American lady in England, which a good editor might have converted into a clever book, but to do so

it would have been necessary to strike his pen through every third line or third page, in which the writer constantly wanders from essential points to indulge in mere idle gossiping verbiage. The title of the work would indicate an attack upon Dickens, but he is but slightly and not unnaturally alluded to; and on the principle of *lex talionis*, and in imitation of English travellers, who note down chiefly abuses, a much more unfavourable picture might have been drawn of England with its unexplored mines of administrative corruption, and wholesale class demoralization, than we find in 'Change for the American Notes.' As we have heard much lately from various writers of abuses of justice in America, let us see the result of the first practical experience acquired by an American lady of the mode of administering justice in England.

We must premise that the writer had engaged an Irish maid-servant, who on a visit to some relatives gets innocently involved in the consequences of a quarrel, and is apprehended by the City police.

A countrywoman brings the news that Kathleen has been taken to a station-house in Smithfield, and conducts the American lady to the office, to inquire into the circumstances and procure, if possible, the liberation of her servant. The following scene ensued:—

"We entered a railed, barred, and benched room, and advancing, accosted two police-officers, who sat, doing nothing, in very English silence; and, as they were in a sort of boxed-off recess, they could only be spoken to over a barricade. One man was fat and quiet-looking, bloated but not unhealthy, as if his colour were attributable to much cold weather as well as hot gin; the other man was gaunt, and looked, O! the cross of the cross, as if vinegar were his ordinary drink, or rather an agreeable relaxation from the greater acidity of his diet; a smile was impossible to the coarse ruggedness of his feature: like the brute the poet writes of, if he were pleased, he would growl his horrid joy. I asked if one Kathleen O'Reilly was confined there? The man so austere in ugliness, after a pause, and without ever looking up, answered 'Yes.' The tone was like what a drunken man in a pet might blow out of a bassoon, only hoarser and sharper.

" 'Pray what is her offence?'

" 'Who the devil are you?' still without looking up.

" 'I gave my name and address.

" 'What do I care who you are; do you think I have nothing to do but sit here to answer idle questions.

" 'But—but is there no legal way of accomplishing her liberation for to-night? I will deposit a sum of money to ensure her appearance to-morrow. Will that do?'

" 'No; and I'll not answer another question.'

"Here he gave a stamp, with a look of ferocity, that might have frightened Van Amburgh, or that tiger tamer to the Nabob. Had I seen anything like this on the stage, I should have said the part was sadly overrated. I was utterly at a loss what next to do, and was thinking of addressing myself to the fat man, and asking him if I could see Kathleen, when my Hibernian attendant broke in, her rage being beyond controlment.

" 'Arrah, then, and the curse o' Crummell upon you, you shaved hyanna, you; is it for the likes o' you to talk that way to a lady? Is it because you are so used to spake to thieves and the likes of your ugly self, that you cannot answer a lady in her own carriage without showing you're a false-hearted blackguard, and a disgrace to the mother that reared you, God pity her and forgive her for it! What d'you sit there for, if not to say your say 'bout the pris'ners, what may be all your bethers, you unnat'ral savage! Sorrow to the tribe of yez, that eats such idle bread, and can't eat it civilly. What are you paid for? tell me that; what are you there for? and tell the lady what she wants to know, or I'll fling my patten at the head of yez to get before the Lord Mayor, and tell his honor the rights of it.'

"The officer listened coolly enough, and the good woman had gathered breath for another volley, and had just commenced, 'Bad sessions to you!'—and how all would have ended I cannot tell, for I was at my wit's end, when Mr N. appeared.

He returned home soon after I called, was told what the business was, and followed me directly. Without preface, like one used to such scenes, he tendered bail, which the officer positively refused; he was alike deaf to Mr N.'s expostulations and threats, and we could only leave poor Kathleen to stay all night in her horrid lodgings; luckily I had my large cloak with me, which I left her, for there was neither bed nor couch. Mr N. told her he would attend before the alderman on her behalf to-morrow, and we came away. Early on the following morning Kathleen was called, and briefly told the charge against her was abandoned, and she might go, and be sure not to come there again.

"Thus the matter ended; for Mr N. advised us that it was useless to proceed further, or complain to an alderman of the misconduct of the subordinate officials; really he was less complimentary to the aldermen than was Lord Brougham in the House of Peers; and Kathleen was imprisoned, and I insulted, without a remedy, or a remedy that was not to be resorted to. Happily, the poor girl was the only prisoner; no blame, whatever, was attributable to her, for she arrived, as Wamba recommends, 'at the end of the fray,' and the only one she knew of the party was her uncle, who is a sober well-conducted man generally; but this day there had been some national festival, and then a fight.

"I had the curiosity to inquire how the aldermen were qualified for the important office of magistrate in a great city, and find that a shopkeeper or merchant, whose knowledge of law may be derived from reading police reports alone, may be elected alderman and become a magistrate at the moment. A very odd, if very ready way of creating a justice of peace! But then they practice principally upon the poor, and can experiment upon them until some little legal knowledge has been gained, and they are rich, and give excellent dinners, and if the scales of justice are not nicely balanced, doubtless the literal scales in the warehouses of such 'respectable' gentlemen are, and all must be magisterially as commercially correct."

As the 'Westminster Review' is becoming a text-book in the City (our last number having found its way into the hands of every member of the Courts of Aldermen and Common Council), we have transferred the above to our pages to assist in promoting inquiry and reform: but the work from which we have taken this extract contains many other facts which might well put Englishmen to the blush, and it should be read by every one at least who joins in vituperating the institutions of America.

LETTERS WRITTEN DURING A JOURNEY TO SWITZERLAND. By Mrs Ashton Yates. Duncan and Malcolm.

Two small volumes of letters to children, descriptive of a tour in Switzerland, in the autumn of 1841, comprising an account of the various places visited, with notices of the principal events in their history. The work, although written chiefly for young persons, contains much that may interest children of a larger growth, belonging to the still numerous class compelled by want of leisure or want of means to leave Switzerland unvisited. A family setting out upon a Swiss tour would not do amiss to take the work with them as an additional 'guide' to that indispensable traveller's companion, 'Murray's Hand-Book.'

Note to the Article on the 'Resources of Population,' p. 101.

THE charges of *over-production* and *over-population*, though frequently advanced by the same parties and on the same occasions, mutually contradict each other; for production of every kind is *ultimately production of subsistence*; the only difference between agricultural and manufacturing labour being, that the one raises subsistence from our *own* soil, and the other from *foreign* soil. The charge of *over-production* means, therefore, that we have produced more food than there are people to eat; the charge of *over-population* means that we have produced more people than there is food to supply:—they therefore contradict each other. The simple fact is, that as over-production means abundant production of subsistence, it never can be a cause of distress at all; and as the labour of one man can produce subsistence enough for from *ten to two hundred and fifty* of his fellow-creatures, over-population never can be a source of distress, except by laws which shut the labourer out from land, or until all land is fully cultivated and can yield no more.

THE WESTMINSTER REVIEW.

ART. I. — 1. *The Opinions of Sir Robert Peel, expressed in Parliament and in Public.* By W. T. Haly, Esq. London. 1843.

2. *Sir Robert Peel and his Era.* London. 1843.

3. *Memoirs of the Right Honourable Sir Robert Peel.* By the Author of 'The Life of the Duke of Wellington.' 2 vols. London. 1842.

"THE common sense of a people," says Coleridge, "is the movable index of its average judgment and information." And something of the same kind may be predicated, we think, of the opinions of the Statesman whose name stands at the head of this article. The similitude may seem rather fanciful between the astute Conservative Minister and so plain and homely a thing as popular common sense; and we do not at all mean to affirm that our present Premier possesses the bluff honesty, and short strong vision, characteristic of what is called a common-sense mind; but at the one point to which alone our comparison goes, the likeness will be found tolerably exact and complete. The history of the opinions expressed by Sir Robert Peel, in parliament and in public, through a political life of upwards of thirty years, is worthy of study as affording a pretty faithful movable index of the average judgment and information of the ruling class or classes of our people during that period. That average judgment and information appears, so far as we can ascertain, to be Sir Robert Peel's rule of faith and practice; and though his interpretations of the canon have frequently been defective and erroneous, there can be no doubt whatever of his thorough orthodoxy of purpose. The index has often been tardy and behind-hand in its movements; but it always has moved, sooner or later, and come right in the end. With a mind shrewd and clever, rather than capacious or profound; official rather than statesman-like; singularly destitute of bold, outstanding individualities of thought and character; perfectly free from that quality of intellect and will which men variously designate "uncompro-

missing principle" and "impracticable crotchettiness;" never having originated any one great public act or measure, nor, so far as we know, ever having expressed an opinion distinctively and entirely his own; eminently possessing that species of mental dexterity and pliancy which shapes opinion and argument to the presumed tastes of an auditory (what the 'Times' said of the Premier's new corn bill is true of his parliamentary logic—it is made to pass); always moving, and moving in the same direction with the estimated average judgment and information of the ruling few or many,—Sir Robert Peel may be taken as a fair proximate representative of that average judgment and information. The opinions which he has from time to time enunciated in parliament and in public, have thus a value quite beyond and beside the intrinsic worth of the quantity or quality of thought that may happen to be in them. In their successive changes, and shades of change, they indicate the direction, and afford some measure of the progress of public opinion, while they suggest, yet more significantly, its probable tendencies with regard to the future.

The opinions of Sir Robert Peel derive a further value (of the extrinsic sort) from his party connexions and official position. They are the opinions of a Tory leader; of the only leader, probably, under whom, since the Reform Bill, Toryism could have made any head at all; and they are useful, consequently, as marking the limits within which the practical working power of the Tory principle has now receded. Sir Robert Peel is generally allowed by considerate persons to have done, on the whole, the best for his party, which, under the circumstances, could be done; to have conceded nothing willingly or prematurely; to have yielded no one point which could have been safely and permanently maintained. His concessions, therefore, however reluctantly assented to by his party, are concessions made by the party, and by the power which it represents; they are concessions which could not possibly have been helped; concessions made to the nature of things; concessions which the spirit of the age has extorted from the spirit of conservative and obstructive partisanship; they are terms of capitulation and surrender signed by a defeated enemy. The Premier's present political creed is not Toryism proper, but Toryism wearing the costume and speaking the dialect of this generation; Toryism paying homage to public opinion; Toryism under the *régime* of the Reform Act, and modified by the new power of which that act is representative; Toryism in that shape in which a shrewd practical man, devoted to its interests, judges it to be now best present-



able. In the successive changes of opinion and of policy which we shall have to retrace in these pages, we see something more than the mutations of an individual mind; we see the first acts of a yet unfinished revolution in national thought and legislation; we see the Tory or obstructive power beaten from point to point, driven from one position after another, made ashamed of its very name, stripped of its old ascendancy, and only able to recover itself by courting the powers which once it defied, adopting the opinions which once it persecuted, and doing, or making-believe to do, the work which once it hindered. In Sir Robert Peel's recently-evincing anxiety to make out a title to political relationship with Mr Huskisson; in his wide and sweeping admission of the general principles of "free trade in the abstract;" in his readiness to "contend strenuously for the removal of civil disabilities" pressing on unorthodox religionists; in his expressed solicitude for the advancement of popular education; in his anxiously-repeated pledges to govern in the spirit of the Emancipation and Reform Acts,—we see Toryism tamed and humbled by a power greater than its own. It is a common feeling, we believe, with Liberals, that Sir Robert Peel is better than his party, that his opinions show us Toryism at its best. In one sense this is true; but it is equally true, in another sense, that the Premier's opinions show us the worst of Toryism—the worst, that is, of which Toryism is now practically capable. Every just and liberal utterance or act of Sir Robert Peel's marks a line in the advance of just and liberal opinion, behind which, let who will be in office, our national policy and legislation can never permanently recede.

In retracing the course of Sir Robert Peel's opinions relative to some of the great questions which have occupied public attention during the last thirty years, it is no part of our design to criticise those opinions in detail. We shall simply register them in their chronological sequence; with the view, not only of noting the progress of that public opinion which to a great extent they reflect and represent, and showing the state and position of modern Toryism under his leadership; but likewise that the intellectual and moral character of the man who now for awhile rules this country may be understood—as it alone can be understood—by bringing into one view the sinuosities and fortuosities of his most crooked political life. Sir Robert Peel is not yet generally known; few public men less so: and only by this sort of review of the main outlines of his career, from first to last, can he ever be made known. Our ablest, wisest, and wittiest journalists (some of whose labours in this

disagreeable field of public service are beyond any praise of ours) work here at a disadvantage. They write for the day or the week, bit by bit, to hasty and oblivious readers; and of necessity can do little more than rend the sophisms of a single speech, or expose the blunders and obliquities of a single parliamentary session. By single speeches and sessions, however, Sir Robert Peel is not to be judged, but by the sum total of his political existence. There is so much of moderation, plausibility, and apparent candour and well-meaningness in this statesman's separate sayings and doings; he talks so smoothly and fairly; he is such a master of official facts and parliamentary logic; he is so dexterous in evasion, so eloquent in generalities; he understands so perfectly the art of "dressing up a case for the House;" and, above all, his real superiority of talent and temper shows so well in contrast with the bigoted fanaticism of some of his party and the mental incapacity of others, that it is impossible to estimate him truly from isolated acts and utterances. His political life looks best when seen in parts: it is only when the parts are pieced together that the flimsy texture of the article becomes fully apparent. This is what we now intend doing:—to ascertain, from the materials furnished by himself, what manner of man, intellectually and morally, Sir Robert Peel really is. "Where is the man," our Premier triumphantly asks, "who has more explicitly declared than I have, his opinions upon all the great constitutional questions that have of late years been raised? Have I not, when any question has been brought forward of important public interest, invariably expressed my opinions in plain and explicit terms?"* We accept the appeal to our memories; and proceed to inquire, of each question of important public interest occurring in Sir Robert Peel's political lifetime, what these plainly and explicitly-declared opinions from time to time have been, and now are, and what indications they afford of sound judgment, earnest purpose, and sincere expression.†

* Speech on motion of Want of Confidence in Ministers, May 27, 1841.

† For convenience of reference, we borrow from Mr Haly the subjoined "*Précis of the Public Career of the Right Hon. Sir Robert Peel* :—

Born at Bury, Lancashire, February 5, 1788.

Married to Julia, daughter of Lieut.-General Sir J. Floyd, June 8, 1820.

1809. First returned to Parliament for Cashel.

1810. Appointed Under Secretary of State for the Home Department.

1812, August. Made a Privy Councillor.—September. Appointed Chief Secretary for Ireland.

1817. Returned for Oxford University.

1818. Resigns Chief Secretaryship of Ireland.

1819, Jan. 14. Proposes Mr Mauners Sutton for the Speakership.—

We begin with the subject of the Catholic question and the government of Ireland.

And once for all, before speaking further on this matter, we will say that we regard the act of 1829 as highly creditable to Sir Robert Peel. We would not make too much of it. That one act does not make him a great man. To say that he was right then, is only saying that he had been wrong all his life before, and that, in keeping up his old anti-Irish partisanships, he has been wrong all his life since; and admitting, in the widest possible terms, the virtue of that act of repentance, we hold it bad morality to exalt the merit of any act of repentance to a level with that of the just and righteous policy which needs no repentance. Still, taken *per se* for what it is worth, the concession of 1829 is honourable to Sir Robert Peel. The "inconsistency" which sacrifices a laboriously-earned reputation for omniscience to a plain, matter-of-fact necessity, is a decidedly more useful and admirable quality than the consistency of such a statesman as the present member for the University of Oxford; and when Sir Robert Peel says of his Emancipation Act,* "I can, without presumption, claim credit

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- Feb. 4. Chosen Chairman of the Currency Committee.—May 24. Introduces the Currency Bill.
- 1822, Jan. 17. Appointed Home Secretary v. Lord Sidmouth.
- 1826, Feb. 22. Introduces his Measures for the Reform of the Criminal Code.
- 1827, April 12. Resigns Office on Mr Canning's appointment to the Premiership.
- 1828, Jan. 25. Reinstated in Office under the Duke of Wellington.
- 1829, Feb. 4. Declares in favour of Catholic Emancipation, and resigns the representation of Oxford University.—Contests Oxford University, opposed by Sir R. H. Inglis, and defeated by a majority of 146. —Elected for Westbury.—March 5. Introduces the Catholic Relief Bill.
- 1830, May. Succeeds to the Baronetcy, and is first elected for Tamworth. —Nov. Resigns Office with the Duke of Wellington's Administration.
- 1834, Nov. Summoned from Italy to form a new Administration, and accepts Office as Prime Minister and Chancellor of the Exchequer.
- 1835, April 8. Resigns Office.
- 1836, Nov. Elected Lord Rector of Glasgow University.
- 1839, May 7. Receives the Queen's command to form an Administration, but relinquishes the task on receiving a refusal from her Majesty to allow any alterations in the principal Household Appointments.
- 1841, May 27. Submits to the House of Commons a vote of Want of Confidence in Ministers, which, after eight nights' debate, is carried by a majority of one.—Aug. 30. Prime Minister.
- 1812, Feb. 9. Introduces his Measure for the Modification of the Corn Laws.—March 11. Proposes an Income Tax, and an extensive Modification of the Tariff."
- * January 31, 1840.

for one virtuous act in public life," we freely and willingly accord the claim.

Taken by itself, this act of 1829 is one of the most creditable of Sir Robert Peel's life. If his career had ended then, it would have ended well. But what shall we say of it, viewed as a mere exceptional and parenthetical passage in the career of a statesman, who not only had spent sixteen years before in ineffectual and mistaken resistance, but who has been busy for fourteen years since in obstructing the natural consequences of his concession; in frustrating, and helping others to frustrate, all its proper results of social good? Viewed thus, it becomes a part of the grand failure of his life; it does but illustrate, in the broadest light of contrast, the essential falsity of his whole political existence. Sir Robert Peel has been most unfortunate with his opinions on this matter of the Catholic claims. The history of his mind in regard to it stands thus:—First, indecision and no opinion; next, a very decided choice, and sixteen years' advocacy of the wrong opinion; thirdly, a sudden change of policy without a change of opinion; and lastly, a relapse into the old obstructive, sectarian partisanship, with much up-hill work to do in mending his broken character as a party man.

In 1812, the young Privy Counsellor had not made up his mind:—

"In giving my vote upon the present occasion, I take leave to make one reservation. I will by no means pledge myself with regard to the Catholic question; but I give my negative to this motion—and I beg this to be distinctly understood—because I consider such a motion to be, in the present instance at least, unnecessary."—*Motion respecting the State of Ireland, February 3, 1812.*

But in 1813, the chief Irish Secretary does pledge himself without reservation. He "protests against the principle" of Mr Grattan's Relief Bill, "because" (among other reasons)—

"If, by this bill, the two religions were equalized in Ireland, would not parliament soon be called on to put the professors of both on the same footing? When parliament has declared that there is no reason why one religion should have any preference over the other, is it to be supposed that the Catholics of Ireland will consent willingly to maintain the clergy of a religion not professed by more than one-fifth of the inhabitants of that country? How can we hope, under such circumstances, when it is admitted that there are 4,000,000 of Catholics to 800,000 Protestants, to maintain the Protestant ascendancy? This is a point which, I think, we ought well to consider."—*Mr Grattan's Relief Bill, 2nd Reading, May 13, 1813.*

In 1817, he expresses the same opinion still more emphatically :—

“ You propose to open to the Catholics, parliament, and to invest them with political power,—to make them capable of acting in the highest offices of the state, and of being the responsible advisers of the crown. You tell us that the Roman Catholics of Ireland are advancing in wealth and education, and that, as you remove the disabilities under which they labour, their advance will be more rapid, and they will become more influential in the state. Do you then mean, *bonâ fide*, to give them in Ireland the practical advantages of the eligibility you propose to confer on them? Do you mean to give them that fair proportion of political power, to which their numbers, wealth, talents and education will entitle them? If you do, can you believe that they will, or can, remain contented with the limits which you assign to them? Do you think that when they constitute, as they must do,—not this year, or the next, but in the natural, and therefore certain order of things,—by far the most powerful body in Ireland—the body most controlling, and directing the government of it,—do you think, I say, that they will view with satisfaction the state of your church or their own? Do you think that if they are constituted like other men—if they have organs, senses, affections, passions, like yourselves—if they are, as no doubt they are, sincere and zealous professors of that religious truth to which they belong—if they believe your ‘intrusive church’ to have usurped the temporalities which it possesses,—do you think that they will not aspire to the re-establishment of their own church in all its ancient splendour? Is it natural that they should?—If I argue even from my own feelings—if I place myself in their situation—I answer, that it is not.”—*Mr Grattan’s renewed Motion, May 9, 1817.*

In 1821, we find him still firm in the same opinion :—

“ The first question arising out of the bill will be, What establishment, or whether any establishment, should be provided for the Catholic clergy? We are not now about to legislate for an obscure sect,—the greater part of Europe professes the religion. Besides, in Ireland there is an archbishop to every province, and, I believe, a Consistorial Court to every diocese. It is a religion supported by voluntary contributions, and is in every respect calculated to give the priesthood a powerful influence over the minds of the people. If the principle of the bill, therefore, be recognized, the best course for parliament to pursue will be to inquire into the manner in which the Catholic church is established in other countries, for it is in vain to conceal that we shall soon have to meet claims for the open exercise of the rites and the practical establishment of that religion.”—*Mr Plunkett’s Bill, 3rd Reading, April 2, 1821.*

And in 1825, he thinks it a “mere mockery” to expect anything else :—

“After equal capacity of office shall have been given to all, the religion of the great minority is to remain the religion of the state. I am told, that it is perfectly safe in Ireland to admit the professors of all religions to the enjoyment of the same privileges, and after this has been accomplished, the Protestant church is still to be retained. I know several honourable members, and among them the member for Montrose (Mr Hume) who contend that this is impossible. On this point he agrees with me; for, over and over again, he has argued that it is a mere mockery to suppose that the Roman Catholics will be satisfied with a Protestant church establishment.”—*Sir Francis Burdett's Motion for a Committee on the Roman Catholic Claims, February 28, 1825.*

It were a curious question, What has become of this opinion as to the natural and necessary consequences of emancipating the Catholics? Here is a most clear and confident opinion expressed at intervals through a period of twelve years, which has somehow slipped through, without cause shown, from the first hour that it came to be of practical application. The prophet ignores his own prediction, and resolutely resists its fulfilment. This is the more curious, too, when we recollect that Sir Robert Peel, on introducing his Emancipation Act, “pretended to no new lights on the subject of the Catholic claims, but retained the same opinion which he ever entertained in reference to that question.”*

Most unfortunate, both for Sir Robert Peel's public character and for the working of his great measure of conciliation, was that unmeaning talk of retaining the old opinions while abjuring the old policy. It spoiled the whole thing. That which might have been an act of large and high statesmanship, which ought to have been the commencement of a new epoch of our history, he degraded into a mere transitory submission to a hated necessity. With that act of 1829, a great man would have turned over a new leaf and headed a new chapter of his political life. Sir Robert Peel made it a paltry parenthesis that only mars the continuity of the context. The whole business was so timed, circumstanced, accompanied and followed, as to minimize both the credit redounding to himself and the good resulting to Ireland. It was concession, and nothing more; concession without the recognition of right, without the adoption of a new principle—reluctant concession to a pressing and passing necessity; concession with no other result than to make the prepossession and subsequent policy of obstruction, denial and exclusion contemptible as well as hateful. There it stands in Sir Robert Peel's life, an isolated and barren exception to his general rule.

* February 5, 1829.

It is an invitation to agitate; a proclamation to agitators that his will is accessible otherwise than through his judgment, that to change his policy it is not absolutely necessary to change his opinions first of all. Sir Robert Peel has emancipated the Catholics: but he has not submitted to the natural consequences of emancipation, not even to its consequences as foreseen and foretold by himself. He now supposes that the Catholics of Ireland will "consent willingly to maintain the clergy of a religion not professed by more than one-fifth of the inhabitants of that country;" he thinks that they can and will remain contented with the limits assigned to them by an intrusive church, "unnatural and impossible" as he once held such contentment to be for men constituted like other men. The "first question arising" out of his own bill he has not even yet begun to consider; and the "mere mockery" of a supposition which he once ignominiously rejected, is now the corner-stone of his policy for one-third of the empire. He has enacted the letter of the Emancipation Act; but he contentedly leaves it a dead letter.

Sir Robert Peel has been false not only to his anticipatory but to his retrospective interpretation of the spirit and principles of the act of 1829. On the 29th of February, 1836 (on the second reading of the Government Irish Municipal Reform Bill), he underwent the infinite humiliation—possibly he did not feel it to be such—of having to deliver himself of the following opinion, from the Opposition side of the house:—

"For myself, I have never thought it possible to amend the corporate system of Ireland, as it exists at present; nor should I advise a partial modification, for the purpose of propping up a system which is radically bad. You might enlarge the number of freemen, or make new regulations with respect to the admission of freemen, and cure some of the evils which are inherent in the present system; still you could not, in my opinion, overcome by such means, the grave objections which apply, in principle, to the continuance of that system, even modified by these slight alterations. A system which presents so limited a number as but 13,000 corporators out of a borough population of 900,000, is, in itself, a most mischievous one. Yet to this is superadded the grievance that these corporators are almost entirely of one form of religious faith. . . . I have no hesitation in saying further, that on other grounds I could not advise the maintenance of the existing corporate system in Ireland, or admit any modification of it. I consider the system as wholly inconsistent with the fair, legitimate principles of the act of 1829. This act went to establish, in respect of civil offices, a perfect equality amongst all classes of his Majesty's subjects. I thought that the object of that act was, to make a man's civil worth,

not his religious faith, the test of his qualification to office; and if there be a system which deprives a Roman Catholic of free access to corporate privileges, and confers it on another, simply because he professes the established religion, I care not whether that distinction was established by the operation of a particular law; if it exist at all, I am of opinion that it is altogether at variance with the principles of the act of 1829."

Rarely has a statesman had to make a more discreditable admission than this. During the seven years intervening between the Emancipation Act and the utterance of this opinion, Sir Robert Peel had held office for one period of twenty-one months, and for another of five months; and yet not a whisper of censure did he breathe against this "radically bad" system, this "most mischievous system," this system "wholly inconsistent with the fair, legitimate principles of the act of 1829." A measure of common justice and common sense, growing out of the acknowledged principles of his own Emancipation Act, he left to his parliamentary rivals and official successors.

Sir Robert Peel's mode of arguing against the Catholic claims, on the ground that the principle of emancipation would involve the principle of establishment—such hypothetical application of the principle being laboriously insisted on up to the time of the principle being recognised, and not one moment longer—illustrates a quality of his mind which we have repeatedly found exemplified in his speeches and opinions. He hardly ever reasons from an "abstract principle," or attempts following it into its logical consequences, except to damage and obstruct (by way of the *reductio ad absurdum*) some measure of simple, palpable, common-sense expediency and justice: *—but once let the expedient and just act be done, and from that instant the abstract principle, with all that it involves, is quietly shelved. This is a capital point in his parliamentary logic. Thus, he once opposed emancipation, because the principle of emancipation would involve a legal establishment of the Catholic religion,—as he now opposes a legal establishment of the Catholic religion, because the principle of establishment would involve seats in the House of Lords for Catholic Bishops: † an "involvement" of which we will venture to say not one syllable will ever be heard, from the first hour that the principle of a Catholic establishment shall have been practically adopted. Now all this shows an inherent littleness and crookedness of mind. There are two intelligible and honest ways of dealing

* Thus, in 1834, he used the principle of religious equality to exclude dissenters from the universities.—See Haly, p. 211.

† See his speech of the 11th of July last.

with abstract principles in legislation and policy:—either to take them, or leave them; either deliberately to adopt a principle, and work it out, as fast and as far as may be, to all its fair logical consequences,—or else altogether to eschew principles as too intangible for practical use, and deal with every question as it arises, on the merits of its special and near utilities. Sir Robert Peel does neither the one nor the other. No man has less faith than he in abstract principles; no man oftener tells the world that abstract principles, “however theoretically sound,” are not practically applicable to the “complicated relations of the highly-artificial state of society in which we live in a country like this;” no man is easier about letting abstract principles of admitted theoretical soundness lie over, unexecuted or half executed: and yet no man is more given to argue from abstract principles, in the way of objection and obstruction. An abstract principle, in his hands, is a mere weapon of offence and annoyance. We wonder whether it ever occurred to him that the abstract principle of exclusion and ascendancy involves the repeal of the Emancipation Act, and the re-enactment of the Penal Code; as the abstract principle of independence of foreigners involves the annihilation of our foreign trade. The Premier’s over-sharp logic cuts only on one side.

Nowhere is the radical failure of Sir Robert Peel’s life more conspicuous than in the results of his Irish policy. When did a public man ever make a more humiliating confession than that which fell from his lips in the course of the ministerial explanations of May 13, 1839?

“Let me take that particular question in which my chief difficulty would arise. Who can conceal from himself that my difficulties were—not Canada; that my difficulties were—not Jamaica; that my difficulties were—Ireland.

“Mr O’Connell and other honourable members—‘Hear, hear!’”

To which “Hear, hear,” Sir Robert Peel, thinking (as is his wont) more of the momentary exigencies of his argument than of anything else, complacently replied,—

“I admit it-fully, and thank you for the confirmation of my argument which those cheers afford.”

How true this admission was and is, the present state of Ireland sufficiently shows. But how disgraceful a truth it is! After having been, for six years of his life, Chief Irish Secretary, for eight other years Home Secretary; in the one capacity the confidential instrument and organ, in the other the supreme director of the administration of Irish affairs; after having had the proposing and carrying of the great measure of

concession and conciliation; after having surrendered, point by point, nearly the whole of the anti-Irish, anti-Catholic policy with which he began his career, he is still as far from the mark as ever—Ireland remains, and seems likely to remain, his “chief difficulty.” What an evidence is this, of radical, essential falsity somewhere, in his political existence. Here is failure, in every sense in which failure is predicable of apolitical life. Sir Robert Peel, in his Irish policy, has made larger sacrifices of opinion and reputation than any other public man living; every purpose with which he started in public life has been relinquished or defeated, every party reliance shaken, and every pledge broken (one alone as yet excepted—that of preserving intact the pestilent Protestant Church Establishment); and he has made all these sacrifices in vain: Ireland remains his chief difficulty. He has not done a single thing in Ireland, or about Ireland, after his own individual and original notion of the fitness of things. He could not maintain the Orange Societies, of which, in 1814, after two years’ experience of them as Irish Secretary, he declared that they had been “grossly calumniated by the disaffected,” and that “it was but justice to declare that their only fault was an exuberance of loyalty.”* The exuberant loyalty was gradually discovered not to be identical with exuberant good citizenship. In 1823, he is of opinion that these societies “must always be objects of suspicion:”† in 1825, he “finds no difficulty in saying that it would be the duty of government to remove from office any body who should be found to be in the situation” of belonging to an Orange Lodge:‡ in 1827, he “must be allowed to say that he heartily wishes all these associations were at an end,”§ (his hearty wish being, by the way, utterly ineffectual): in 1836, “his opinion and his wish is, not only that an end should be put to all such associations, but he also wishes to see the spirit in which they originated entirely and effectually suppressed:”|| and in 1840, an unknown Orange zealot, who, in his exuberant loyalty, commits the indecorum of waving an Orange flag in a Dublin theatre over the box of a Lord-Lieutenant, is “*some vagabond*.”¶ The exuberant loyalists of the Premier’s political youth are now “vagabonds;” the change being not in them, but in him. The difference between “exuberant loyalty” and “vagabondism” pretty exactly expresses the difference between the Irish policy of Sir Robert Peel’s early choice, and the Irish policy which the “force of

Haly, p. 255.

† Ibid. p. 255.

‡ Ibid. p. 256.

§ Ibid. p. 257.

|| Ibid. p. 257.

¶ Ibid. p. 248.

public opinion and existing circumstances" has gradually imposed upon him.

The one only wise and beneficent intention regarding Ireland which stands on record in the early political life of Sir Robert Peel, he has not executed. He has actually covered himself with the shame, first, of seeing it executed, after the lapse of nearly twenty years, by his political opponents; next, of unsuccessfully resisting its execution; and, at last, of having to come round, by a reluctant and tardy re-conversion, to his own first idea. We allude to the subject of Irish National Education; on which the history of Sir Robert Peel's opinions stands thus:—

"No man can be more sensible than I am of the advantages that would result to Ireland from the general diffusion of education. In making this statement, I wish it to be understood that I think the benefit ought to be restricted to no particular sect—that no distinction whatever ought to be observed. I am confident that it is the only measure to which parliament can look, for the introduction of habits of industry and morality among the lower orders in Ireland; and when we consider the avidity which, to their infinite credit, is shown by the Irish people to avail themselves of any means of instruction that are afforded them, it would be a reflection on parliament, if by any ill-judged and miserable parsimony such means were withheld. I am convinced, and I avow it without hesitation or reserve, that the only rational plan of education in Ireland, is one which should be extended impartially to children of all religious persuasions—one which does not profess to make converts—one which, while it imparts general religious instruction, leaves those who are its objects to obtain their particular religious discipline elsewhere. To the slow and gradual progress of reform among the people of Ireland, parliament must look for a durable improvement in their character; and I can conceive no more certain mode of effecting this most important object, than by adopting a judicious plan of general education."—*Irish Budget*, June 16, 1815.

"Real, substantial, and permanent reform among the lower classes in Ireland, can only be looked for from the general diffusion of knowledge, and from enlightening the minds of the people. From such sources of reform I should anticipate the grandest and the noblest results. . . . It would be infinitely better for Ireland, and for this country, to have a well-instructed and an enlightened Catholic population, than an ignorant and bigoted one."—*Army Estimates*, February 27, 1816.

"On the subject of education, I beg to be allowed to say, that the opinions I entertain on the Catholic question have never prejudiced my views as to the necessity of education generally. I had rather that the Catholic population should be enlightened than ignorant, and I would extend education to all parties without reference to the reli-

gion of either. If any measure, therefore, is brought forward, to which, after mature deliberation, I can consent, it shall have my cordial support."—*State of Ireland, April 22, 1822.*

"In the education of the poor of Ireland, two great rules ought never to be abandoned: first, to unite, as far as possible, without violence to individual feelings, the children of Protestants and Catholics under one common system of education; and secondly, in so doing, studiously and honestly to discard all idea of making proselytes."—*Incidental Discussion, March 9, 1824.*

"For my part, I think the best mode of diffusing education is not through any local constituted institution; and I most perfectly agree in the principle of Dr Murray's proposition, that the Protestant and Roman Catholic children should be educated together—that they should learn in common—but receive their religious instruction apart, each from his own pastor. It appears that Dr Murray does not dissent from the introduction of some religious education, founded on the selection of some approved parts of the Scripture—on some harmonious arrangement of the Gospel, by which the grand truths of religion may be communicated, and morality inculcated, without trenching on those doctrines upon which the two sects differ. If this plan can be carried into effect, a sound system of education may be established in Ireland; and I trust that no difficulties will be thrown in the way of accomplishing that most desirable object."—*Mr S. Rice's Motion on Education in Ireland, March 20, 1826.*

"Trust that no difficulties will be thrown in the way of accomplishing that most desirable object!" Why, who did throw difficulties in the way? Who but you, and the fanatics and fools of your party, whom you might have held in check, but whom, instead of checking, you aided and abetted with your silent vote; you who, in 1826, recommended "the introduction of some religious education, founded on the selection of some approved parts of the Scripture;" and, in 1832, helped to give effect to the dishonest cry of "mutilated Bible."

For, since the speech of 1826, Sir Robert Peel has expressed two other opinions on the subject of religious education for Ireland, founded on the plan of scriptural "selection" and "harmonious arrangement." Of these two opinions, the first in order of time appears not in the debates, but in the division lists. On the 23rd of July, 1832, on the question of the Grant for Irish Education, the name of Sir Robert Peel appears in the minority of Noes, in conjunction with those of Captain Gordon, Mr Goulburn, Sir Robert Inglis, Dr Lefroy, Mr Spencer Perceval, Colonel Sibthorp, and ten other devotees of the "unmutilated Bible." His next opinion on the subject bears the date of the 2nd of March, 1835, and was uttered by the mouth of Sir Henry Hardinge (the then Irish Secretary), as the organ of Sir Robert Peel and his cabinet.

On Lord Ebrington asking if the government intended to make any change in the principles of the Irish system of education, the Secretary's reply was :—

“There is no intention on the part of government to alter the system of education in Ireland, as settled by the late administration. With regard to the amount of the estimate for the present year, I may mention, that I believe it will be larger than last year.”

In 1843, Sir Robert Peel's policy is to support the system, and dispense government favours to those who have denounced and vilified it.

Sir Robert Peel stands, at this moment, pledged to govern Ireland “in the spirit” of the Act of 1829. The pledge is probably as sincere as a certain general well-meaningness can make it; but it is a pledge utterly beyond his power to redeem. He cannot, if he would, govern Ireland in opposition to the spirit of the greater part of his political life, in opposition to the spirit of his general politics, in opposition to the spirit of the party by whose aid and through whose instrumentality he is doomed to govern. He cannot govern in the spirit of the Emancipation Act: the spirit of Lord Lyndhurst's “alien” speech, the spirit of Lord Stanley's Registration Bill, the spirit of Exeter Hall, are stronger than the very best of his good intentions. In September, 1841, we find him claiming the benefit of some noble lord's admission that “he has, at least, triumphed over the difficulty of constituting the government for Ireland in such a manner, as to give assurance that the universal people of that country shall be treated with impartiality and justice.”* The so easy and early triumph would be ludicrous, were the subject of it less serious. Alas! it is not in Sir Robert Peel's power to constitute a government for Ireland in any such manner. A government is there, already constituted without him, over which he has no control—which controls him, rather; a government of the party whose passions he has indulged, whose follies he has countenanced, whose exuberant loyalty he has lauded, whose support he has accepted, whose work he has done, whose bread he has eaten, against which he has indeed lifted up his heel, but which he has neither the courage nor the ability effectually to crush. Well may he call Ireland his chief difficulty. He has managed matters so, that, at his hands, coercion strikes no terror, while concession could awaken no gratitude.

Sir Robert Peel's opinions on the Corn Laws present a curious psychological study; and one which we would especially recommend to the attention of all persons who are fond of the

* Haly, p. 248.

"pursuit of knowledge under difficulties." In following the course of the Premier's public life with reference to this subject, and endeavouring to trace the history of his expressed opinions, with the view of ascertaining whether he has any, and what, distinct conviction and settled purpose about the matter, one gets perfectly bewildered. For our own part, we may as well say at once, we do not know what Sir Robert Peel's opinion is about the corn laws. The only intelligible net *residuum* of thirty years' statesmanship is the pledge to the principle of a sliding scale (with details indeterminate), qualified by a recognition of the general principle of free trade in the abstract. All the rest of the Premier's corn-law opinions are one enormous tangle of uncertainties and contradictions, enveloped in an infinite haze of mystification. The political and economical grounds of agricultural protection, the due extent of that protection, the effects of protection on agriculture and manufactures respectively,—on each of these points, and on every detail connected with them, the opinions of Sir Robert Peel, expressed in parliament and in public, and the arguments by which those opinions have from time to time been vindicated, show a mental looseness, vagueness, and self-contradictoriness, together with a dexterity in the sharpest practice of parliamentary logic, utterly disgraceful to the public opinion which tolerates him as its virtual representative.

Of the prohibitory corn law of 1815, we are not aware that Sir Robert Peel expressed his opinion otherwise than by a silent vote. Of the sliding-scale law of 1828 his recorded opinions stand thus :—

SIR ROBERT PEEL OF OPINION THAT THE SLIDING SCALE OF 1828 IS FOUNDED IN WISDOM AND JUSTICE.

"I do not give my assent to these resolutions because they are a concession to unfounded apprehensions or prejudice, but because I conceive them to be founded in wisdom and justice. I think them an equitable adjustment of this question. They appear to me a fair and reasonable arrangement as regards the commercial and manufacturing interests, and certainly they afford a just and proper protection to the agricultural classes. I know of no measure more likely to engage a general approval. No system that I am aware of, would be so well calculated to prevent the prejudicial changes to which the country has been subject, and to fix a permanent state of things."—*Government Propositions, March 31, 1828.*

SIR ROBERT PEEL OF OPINION THAT THE SLIDING SCALE OF 1828 HAS WORKED WELL.

"I have remarked that the average price of corn for the nine years ending September, 1838, during the prevalence of ordinary seasons, was not more than 54s. per quarter. It is said, however,

that there was, during that period, great fluctuation in the price; that wheat was 76s. a quarter at one time, and 36s. at another, and again 75s. 6d. at a third. This is true: but such variations are, and will continue to be, the inevitable concomitants of variations in the supply, dependent mainly upon the influence of seasons. And it ought not to be forgotten that the weekly averages show that the fall from the highest point to the lowest, and the ascent again from the lowest, was as gradual as it was possible to be under any system of corn laws."—*Mr Villiers's Motion, March 15, 1839.*

"Another objection which is made to the corn laws is, the great fluctuation which they cause in the price of corn, and the great uncertainty which they introduce into the traffic in corn, and the consequent derangement they cause in the commercial intercourse between this country and foreign powers. Now neither upon this point will I pretend to deny that there have been great fluctuations in the price of corn—greater than I could wish to see in an article of such general consumption; but, at the same time, I doubt whether it would not be found, upon examination, that there has been as great, or greater, steadiness under the sliding scale, as it is called, than can be hoped for under any other system."—*Mr Villiers's Motion, April 3, 1840.*

SIR ROBERT PEEL OF OPINION THAT THE ANTI-CORN-LAW
AGITATION HAS FAILED.

"It must have been about the time that the managers and officers of the Manchester Savings-Bank were congratulating themselves on its success, and on the hope of its rapid extension, and were thus bearing public testimony to the improving condition of the manufacturing classes in Manchester and Salford, that in those very towns commenced the system of agitation which has received the sanction of the President of the Board of Trade. Then it was that the delegates were appointed, and meetings organized, and lectures to the labouring classes prepared, for the purpose of stirring up impatience and indignation with the corn laws, as the main cause of whatever evils they were exposed to. Then it was that those organs of public intelligence which most strenuously support her Majesty's government, were denouncing the aristocracy and the landed proprietors as selfish tyrants fattening on the labour and sufferings of the exhausted poor, and provoking (if other means should fail) the resort to physical force. True it is, the attempt has failed—not from the returning moderation and good sense of its authors, but because their allegations of manufacturing distress and decaying commerce were contradicted by the member for Kendal, and by the official returns; and above all, because they found themselves utterly powerless to guide the tempest they themselves had raised."—*Mr Villiers's Motion, March 15, 1839.*

SIR ROBERT PEEL PEREMPTORILY REFUSING TO PUT INTO THE
LOTTERY OF LEGISLATION.

"If you had called on us to abandon this protection with all the
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authority of an united administration, with the exhibition of superior sagacity and triumphant reasoning, we should have been deaf to your appeal; but when, inviting us to follow you, you present nothing but distracted councils, conflicting colleagues, statements of facts not to be reconciled, and arguments leading to opposite conclusions, then we peremptorily refuse to surrender our judgments to your guidance, and to throw the protection secured to agriculture by the existing law into the lottery of legislation, in the faint hope that we might by chance draw the prize of a better corn bill.”—*Ibid.*

SIR ROBERT PEEL BEGINNING TO PICK HOLES IN THE SLIDING SCALE, AND TO THINK BETTER OF THE LOTTERY OF LEGISLATION.

“I am not prepared to say that there are not great objections to the sliding scale.

“I conceive nothing can be so absurd as to declare for or against a particular set of details. Nothing seems to me more objectionable than to say that the present corn law, in all its details, is a system actually perfect. Such a declaration would, I consider, be utterly unworthy of me to make, or of this house to hear.”—*Mr Villiers's Motion, April 3, 1840.*

SIR ROBERT PEEL AT SEE-SAW ON THE MATTER OF SLIDING SCALE AND MONETARY DERANGEMENT.

“It is said that a sudden demand for corn leads to an immense importation, and that in consequence of the suddenness of the demand, there is no corresponding export of manufactured articles; that the corn imported has necessarily to be paid for in gold, and that the stock of gold in the Bank must in consequence necessarily be exhausted. Now, there was a derangement in the course of the years 1838 and 1839; but then, when it is assumed that that derangement was necessarily caused by the operation of the corn laws, I deny the inference. I deny that the corn laws caused all this derangement—I deny that they caused that demand for corn which necessarily led to a derangement of the monetary system and a drain on the specie in the Bank. In the first place, you should observe, that the same derangement took place in other countries where it was impossible that the same cause could operate. The same derangement took place in France. In that country there was the same derangement in the monetary system; and in the United States there was also the same derangement in the monetary system and the same drain for bullion, involving necessarily a suspension of cash payments. These circumstances show that it is perfectly impossible that the derangement can be attributed to any cause like the operation of the corn laws. I push this argument no further than this,—that it cannot be asserted with certainty that the corn laws caused the late derangements.

“It must be admitted that in the years 1838 and 1839 there were three concurrent evils—there was the derangement of the currency,

there was the drain of specie, and there was an immense import of foreign corn. Now, it is possible that the corn laws may have been, in this instance, the cause of that which is attributable in former periods to other circumstances: I say that it is possible that this may have been so. That the operation of the corn laws may have had some effect on the currency, it is impossible to deny. But then the question is—not whether the suddenness of the demand is an evil—for of that there can be no doubt—but whether we can take any means of defence against it? It is impossible to deny that the system must have a partial effect; but then, seeing that the price and the quality of the article depend as well upon the uncertainty as the vicissitude of the seasons, how can we take any precaution, by human prudence or human legislation, against the recurrence of such sudden necessity. . . . The corn laws may have aggravated the evil—that I do not deny; but I do deny that they were the exclusive cause of it. To deny that their tendency is to increase pre-existing evils arising from other causes, would be unwise.”—*Ibid.*

SIR ROBERT PEEL, BEFORE THE ELECTION, POINTING TO PAST SERVICES IN THE CAUSE OF JUST AND ADEQUATE PROTECTION TO THE AGRICULTURAL INTEREST.

“I should like to know who has stood forward more than I have done, in defence of the existing corn laws? I should like to know whether any man, looking at these debates, can really have a doubt that my desire is to maintain a just and adequate protection to the agricultural interest? Have I not contended for this, while I admitted, and I always will admit, that there may be some details of the present law which require alteration.”—*Motion of Want of Confidence in the Ministry, June 1, 1841.*

And we should like to know whether any man, looking at these debates, could really have a doubt but that Sir Robert Peel thought the protection of 1828 no more than just and adequate.

SIR ROBERT PEEL, AFTER THE ELECTION, OF OPINION THAT THE PROTECTION OF 1828 IS VERY CONSIDERABLY MORE THAN JUST AND ADEQUATE.

“It is impossible to deny, comparing the duties which we propose with the duties as they exist at present, that there is a very considerable decrease of protection for the home grower. There is a decrease of protection which in my opinion can be made consistently with justice to all the interests concerned. I certainly feel bound to say that I think the agricultural interests of this country can afford to part with a portion of the protection which they now receive, and that it is only just that that protection should be diminished.”—*Corn Law Amendment, February 9, 1842.*

SIR ROBERT PEEL'S LAST OPINION OF THE SLIDING SCALE OF 1828.

"The principal charge against the old law was, that it held out no encouragement to a fair and steady trade, but, on the contrary, that its irregular fluctuations led to sudden large importations, in return for which we had to send out our gold. This evil seems likely to be remedied by the present law."—*Mr Duncombe's Motion on the Distress of the Country, July 21, 1842.*

Yet, thirteen months before, he "would like to know who had stood forward more than he had done, in defence" of that old law. The "principal charge" was then elaborately rebutted, and the "evil" was too microscopically small to be visible to the naked eye.

SIR ROBERT PEEL'S LAST OPINION OF THE LOTTERY OF LEGISLATION.

"I should say that I do not contemplate any alteration in the corn laws, though the experience of their operation does not tend to confirm the objections which may have been entertained against any further change. I repeat that the impression at present on my mind is, that the existing corn law is preferable to any other. . . . I therefore repeat the opinion which I held last year—namely, that I have not yet seen any better proposition. I think there is none which gives a better chance of security; but on matters of this sort I am very unwilling to bind myself by anticipation to any law. With respect to any measure, I am not prepared to say that at all times, and under all circumstances, I shall abide by any particular law."—*Debate on the Address, February 3, 1843.*

Let us ask what Sir Robert Peel's opinion is as to the grounds which legitimate and measure parliamentary protection of agriculture. It is not to be denied that grounds for such protection have been very frequently and very confidently alleged by him. But it will be found that, on every point on which such allegations have been made, there is something to be taken into the account on the other side:—now, a definite and formal retraction; now, a hasty running-away from the argument when hard pushed; and again, the adoption and strenuous vindication of some counter and clashing principle—so that, on the whole, we are left in the most embarrassing uncertainty as to what the Premier's real final opinion, if any, is on the matter.

In 1828, Sir Robert Peel laid great stress on the policy of supporting the magistracy and aristocracy. He went then on the class-interest principle:

"It has been justly said, that there are other considerations to be attended to besides those of vested interests. It has been remarked, that under a limited monarchy like this it is of importance to maintain those interests which render so much assistance to the government and to the state. I concur in that observation. I should be sorry to purchase a depression of the price of bread, at the risk of interfering injuriously with those vested interests which are so essential to the maintenance of the other classes of the state."—*Government Proposition, March 31, 1828.*

Yet these "other considerations" have now quite lost their weight. In 1839, he has

"No hesitation in saying, that unless the existence of the corn law can be shown to be consistent, not only with the prosperity of agriculture, and the maintenance of the landlords' interest, but also with the protection and the maintenance of the general interests of the country, and especially with the improvement of the condition of the labouring class, the corn law is practically at an end."—*Mr Villiers's Motion, March 15, 1839.*

And more recently we have seen him go the length of utterly disclaiming all intention of legislating for the interests of any particular class :

"The protection which I propose to retain, I do not retain for the especial protection of any particular class. Protection cannot be vindicated on that principle. The only protection which can be vindicated is that protection which is consistent with the general welfare of all classes in the country. I should not consider myself a friend to the agriculturist, if I asked for a protection with the view of propping up rents, or for the purpose of defending his interest, or the interests of any particular class; and in the proposition I now submit to the house, I totally disclaim any such intention."—*Ministerial Plan, February 9, 1842.**

No one has made more use than Sir Robert Peel of the independence-of-foreigners' fallacy. The danger of a permanent and extensive dependence on foreigners for supplies of corn, and the consequent policy of purchasing independence by administering to our home growth the stimulus of pro-

* It oddly enough illustrates the transitional, unsettled character of modern Toryism, that, in this same debate, we find a Cabinet minister (Sir Edward Knatchbull) flatly contradicting his official chief, on this cardinal point of the morals and philosophy of legislation. The Paymaster-General on that occasion courageously asserted that

"The agricultural interest were entitled to protection, amounting to such a sum as would retain to them full security for the property they possessed, and retain to them the same station in society. (Vehement cheering from the Opposition.) His observation was, and he repeated it, that the duty should be calculated in such a manner as to retain to the landed interest security for the property they possessed, and that station in the country which they had hitherto held."

tection.—this has usually been a leading item in our Premier's corn-law logic. One example may serve in place of many:

"I certainly do consider, that it is for the interest of all classes that we should be paying occasionally a small additional sum upon our own domestic produce, in order that we may thereby establish a security and insurance against those calamities that would ensue, if we became altogether, or in a great part, dependent upon foreign countries for our supply. My belief is, that alterations of seasons will continue to take place; that whatever laws you may pass, you will still occasionally have to encounter deficient crops; that the harvests of other countries will also at times be deficient; and that, if you found yourselves dependent upon foreign countries for so important an amount of corn as 4,000,000 or 5,000,000 quarters, under these circumstances, and at a time when the calamity of a deficient harvest happened to be general, my belief is, that the principle of self-preservation would prevail in each country, that an impediment would be placed upon the exportation of their corn, and that it would be applied to their own sustenance. While, therefore, I am opposed to a system of protection, on the ground merely of defending the interests of a particular class, I, on the other hand, would certainly not be a party to any measure, the effect of which would be to make this country permanently dependent upon foreign countries for any very considerable portion of its supply of corn. That it might be for a series of years dependent on foreign countries for a portion of its supply;—that in many years of scarcity, a considerable portion of its supply must be derived from foreign countries—I do not deny, but I nevertheless do not abandon the hope that this country, on the average of years, may produce a sufficiency for its own necessities. If that hope be disappointed,—if you must resort to other countries in ordinary seasons for periodical additions to your own supplies,—then do I draw a material distinction between the supply which is limited—the supply which is brought in for the purpose of repairing our accidental and comparatively slight deficiency—and the supply which is of a more permanent and extensive character."—*Ministerial Plan*, February 9, 1842.

And in the same speech he endeavours to meet the very obvious objection that the so desirable independence does not in fact exist:

"I agree that for the last four years the average supply of this country has been unequal to the demand; but in considering this question, it becomes important to ascertain what is the probability that this country from its own resources can be able to supply its own population. Now, I am not prepared to admit that this country is unable, in ordinary years, to supply its own population. If I formed my judgment from the circumstances of the last four years, I should have been compelled to conclude that we were dependent on foreign supplies for a great proportion of our consumption; I should have

been compelled to come to this conclusion, because the average of the last four years' importation of foreign corn into this country was 2,300,000 quarters. But if we take a longer period, if we take twelve or thirteen years, then it would appear that, on the whole, the annual average importation of foreign corn was very considerably smaller."—*Ibid.*

It is not a little curious, however, that, at the time when the annual average importation was "very considerably smaller," Sir Robert Peel was perfectly prepared to admit (the exigencies of his particular argument for the nonce requiring it) the permanent inability of this country to feed its own population, and the necessity of looking to other countries for a supply :

"It cannot be denied, that in consequence of the growing population of this country, there is a necessity for looking to other countries for a supply. It is impossible not to see that, in proportion to the increase of population of late years, the quantity of land employed in the production of corn is diminished ; but it is appropriated to the production of the more profitable articles. The increase of manufactures may diminish the growth of corn, but it does not follow that agricultural property is thereby depressed. The land is devoted to the production of milk and butter, and other articles yielding an equally profitable return. If it is proved to me that at any particular time there is less corn grown in this country, I will not, therefore, admit that agriculture is less flourishing. I would first inquire whether other articles are not produced in its stead, which furnish a suitable price. The land, for instance, in the neighbourhood of London and Manchester, is not now applied so generally as heretofore to the production of grain : a great portion of it is devoted to pasture."—*Government Proposition, March 31, 1828.*

"In proportion to the increase of population, the quantity of land employed in the production of corn is diminished," *i. e.* the more we want from our own soil, the less we are likely to get ; the ratio of supply to population is inverse. By what process of inquiry Sir Robert Peel passed from this opinion of March 31st, 1828, to that of February 9th, 1842, is not apparent ; and the change is the more surprising, since the experience of the intervening fourteen years had remarkably verified the soundness of the earlier opinion. But the strangest thing of all is, that on the 21st of July, 1842, we find him back again at the old point,—a permanent, extensive, and increasing dependence on foreigners for corn is quietly assumed as one of the established conditions of our national existence. He says :

"The principal charge against the old law was, that it held out no encouragement to a fair and steady trade, but, on the contrary, that its irregular fluctuations led to sudden large importations, in return

for which we had to send out our gold. This evil seems likely to be remedied by the present law ; and, as far as I have had an opportunity of judging, it appears to me that we may calculate upon a regular and gradually-increasing importation. In expressing this opinion, I would not be understood to draw a too sanguine inference from the short experience which the operation of the measure has afforded ; but I am of opinion that we shall have such a regular influx of foreign corn as will not tend to derange the monetary system, and that, in addition to the regularity of the supply, we may also look for a gradual increase." — *Mr Duncombe's Motion on the Distress of the Country, July 21, 1842.*

We confess it passes our comprehension how such self-contradictions can consist with common mental honesty. Here we have two flatly contrary states of fact assumed as the basis, and two flatly contrary results indicated as the aim, of one legislative measure. In February, Sir Robert Peel deprecates "making this country permanently dependent upon foreign countries for any very considerable portion of its supply of corn," and represents the exigency necessitating large importations as casual, temporary, and exceptional. In July, he indulges the hope that we may "calculate upon a regular and gradually-increasing importation." In what respects, and to what extent, the "regular and gradually-increasing importation" desiderated in July, differs from the "permanent and extensive dependence on foreigners" deprecated in February ; and by what *modus operandi* the same legislative arrangement which saves us from the latter shall realize the former, is a problem as desperately unsolvable as any of the abstrusest mysteries of theology.

The course of Sir Robert Peel's opinions on the subject of "peculiar burdens on agriculture" justifying and requiring a countervailing protection, exhibits a curious alternation of round, bold assertion, with a most edifying diffidence and hesitancy. His opinion comes and goes, rises and falls, in the oddest way imaginable. At one time he is quite certain, at another, full of doubt ; a little consideration, however, removes every difficulty ; but further re-consideration makes the question more hopeless than ever.

In 1834, Sir Robert Peel had an opinion on this matter of the peculiar burdens, clear of all doubt or difficulty whatever :

"Before you determine to take off the restriction on the import of foreign corn, you ought first to look at the burdens to which the landholder is subject, and at the difference in degree in which those burdens, whether they be local or public burdens, press upon the

landed proprietor and the manufacturer respectively. Consider the land tax, the malt tax, and the payment of tithes: for tithes are admitted, by all political economists who have written on the subject of free trade in corn, to be a tax peculiarly burdensome to the land, and for which the land is entitled to equivalent protection. I hold in my hand an account of the amount of poor rates paid by this country in the year 1823, which, though it may refer to a somewhat remote period, will tend to show the proportionate pressure of that impost upon the land and upon trade. The total amount of the poor rates paid in the year 1823, in England and Wales, was 6,703,000*l.* Of this, dwelling houses paid 1,762,000*l.*; the land, 4,602,000*l.*; the mills and factories, only 247,000*l.*—namely, one-eighteenth part of the payment of the land. I ask, therefore, can it be said, after such a statement, that the local burdens are fairly appropriated between the landed and the manufacturing interests? and have not the proprietors of land a right to claim, on this head alone, that degree of protection for their property, which is equivalent to the excess of contribution to which the land is subject?"—*Discussion on a Petition, March 19, 1834.*

But in 1839, his opinion is all doubt and difficulty together. The subject is obscure and intricate. Even Adam Smith, Ricardo, Macculloch, and Colonel Torrens, cannot at all see their way in it, and how should he?

"I have read all that has been written by the gravest authorities on political economy on the subject of rent, wages, taxes, tithes—the various elements, in short, which constitute or affect the price of agricultural produce. Far be it from me to depreciate that noble science which is conversant with the laws that regulate the production of wealth, and seeks to make human industry most conducive to human comfort and enjoyment. But I must at the same time confess, with all respect for that science and its brightest luminaries, that they have failed to throw light on the obscure and intricate question of the nature and amount of those special burdens upon agriculture which entitle it to protection from foreign competition; and I not only do not find in their lucubrations any solution of the difficulties, but I find the difficulties greatly increased by the conflict of authorities."—*Mr Villiers's Motion, March 15, 1839.*

And then he goes on to give an opinion of Adam Smith's, dashed by a doubt of Ricardo's, a *dictum* of Macculloch's, qualified by a suggestion from Colonel Torrens, to show that, as we proceed with the inquiry, our path becomes more intricate and obscure. All which is only a roundabout way of saying that, on this 15th of March, 1839, Sir Robert Peel has no opinion on the subject of the peculiar burdens.

Two years afterwards, however, we find him repossessed of the lost opinion of 1834. The obscure and intricate subject is again clear and simple; the light which was not to be had from

the gravest authorities and brightest luminaries of the noble science, has suddenly burst on the expectant Premier at the Tamworth election :

“When I look at the burdens the land is subject to in this country, I do not consider the fixed duty of eight shillings a quarter on corn from Poland and Prussia and Russia, where no such burdens exist, a sufficient protection for it. Gentlemen, it is certainly a very tempting thing in theory to buy your corn at the cheapest market. But, gentlemen, before you adopt that theory in practice, you must, as a matter of common justice, compare the burdens on the land in other countries with the burdens on the land in this country. The land in this country is most heavily burdened; you cannot conceal that. Look at the amount of the poor’s rate as levied on land, as compared with that levied on the productive means of manufacturing industry. Who pay the highway rates? Who pay the church rates? Who pay the poor’s rate? Who pay the tithes? I say not, perhaps, altogether, but chiefly, the landed occupiers of this country.”—*Speech on the Tamworth Hustings, June 28, 1841.*

After this, it is painful to be obliged to add, that in little more than half a year the old difficulty returns; the subject is again intricate and obscure, the conflict of grave authorities again perplexes and bewilders, and Sir Robert Peel is again without an opinion. We quote the following parliamentary interlude from Hansard :

“FEBRUARY 21, 1842.—CORN LAWS—BURDENS ON LAND.—Mr Cobden said, that the right honourable baronet, in his speech introducing his measure on the corn laws, had spoken of certain exclusive burdens borne by land, which he considered formed a ground for proposing to levy a tax upon food for the benefit of a particular class. He wished to ask the right honourable baronet whether he was prepared to lay before the house a specification of those particular burdens, for he thought it would be more satisfactory to the country to have the facts before they entered upon the present discussion.

“Sir R. Peel said, the question of the honourable gentleman involved a matter that was the subject of much controversy. The greatest political economists differed much as to what were, and what were not, burdens on the landed interest. Adam Smith thought tithes a burden on land, and Mr Macculloch was of the same opinion, but other writers on those subjects entertained different opinions. The noble lord opposite had in his speech the other night come to the conclusion that there were particular burdens on the land which justified him in proposing a fixed duty. The subject was one for discussion to grow out of reasoning and examination of facts; and he was sure the honourable gentleman would see that it would be impossible for him to lay upon the table, in an official form, the information which he required.

"Mr Cobden said, the right honourable baronet could explain his own opinion on the subject.

"Sir R. Peel submitted to the honourable member, that it was usual to deliver opinions in speeches, and that it was quite unusual for an honourable member to lay on the table any official statement of his opinions.

"Mr Ewart asked, whether the right honourable baronet had any objection to state what were the real burdens borne by land, that the public might know whether they had any real claims to protection and compensation.

"Sir R. Peel said, his answer was, that he proposed to remit the duties on foreign corn from 22s. to 10s., and he hoped the honourable gentleman would unite with him in passing the measure into a law as speedily as possible.

"Subject at an end."

We hope the subject is not at an end, with this piece of flippancy and shabby evasiveness. The subject ought not to be at an end until Sir Robert Peel has been got to say, once for all, whether he has any, and what, opinion of his own about the peculiar burdens on British agriculture.

We are equally at a loss to know Sir Robert Peel's opinion on the subject of the sources and conditions of agricultural prosperity, and the way in which the agricultural interest is affected, favourably or unfavourably, by the extension of commerce and manufactures. Our perplexity arises from the circumstance that the Premier holds, on this matter, two parliamentary opinions, which, at intervals of varying lengths, he puts on alternate duty, according to the fluctuating exigencies of debate; leaving it a question of profoundest uncertainty which of the two, if either, is his real private opinion.

In February, 1834, he is of opinion that the best mode of advancing and improving agriculture is to extend commerce and manufactures:

"We have this admission from the noble lord, that the agricultural interest is so intimately connected with the commercial and the manufacturing interests, that the best mode of advancing and improving it is to extend our commerce and manufactures by opening new markets; by removing those regulations, as well fiscal as political, which interfere with or impede their extension. These observations are very just. The agricultural classes would be benefited by the extension of our commerce."—*Lord Chandos's Motion for the Relief of the Agriculturists, February 21, 1834.*

Yet this opinion is wonderfully short-lived. In less than a month he appears to be of opinion that a very great extension of commerce and manufactures might co-exist with declining and ruined agriculture:

"I will put out of the question the policy of supporting the landed interest on grounds involving moral and social considerations. I will not dwell upon the importance, in a national point of view, of encouraging the improvement in the land, or the effect which that improvement has had in promoting the general health and diminishing the average mortality of the country. I will not now discuss whether there be not other and higher considerations for a great country than the mere accumulation of wealth, and whether we should be a happier, even if we were a richer people, if this country presented nothing but vast congregations of steam engines and factories separated by morasses and rabbit warrens."—*Discussion on a Petition, March 19, 1834.*

According to his February opinion, the combination here described is impossible, and the supposition absurd. If the best mode of advancing and improving agriculture is to extend commerce and manufactures, the "vast congregations of steam engines and factories" would be separated, not by morasses and rabbit warrens, but by gardens and fruitful fields.

This opinion of March, 1834, seems to have survived during the five years thence next ensuing: for, on the 15th of March, 1839, we find Sir Robert Peel oppressed with the apprehension that "enormous manufacturing towns, connected by railways," might render it no longer possible to cultivate the soil at a profit. Of the probable consequences of repealing the corn law he draws the following dismal picture:

"We should view with regret cultivation receding from the hill-top, which it has climbed under the influence of protection, and from which it surveys with joy the progress of successful toil. If you convinced us that your most sanguine hopes would be realised, that this country would become the great workshop of the world, would blight, through the cheapness of food and the demand for foreign corn, the manufacturing industry of every other country, would present the dull succession of enormous manufacturing towns, connected by railways intersecting the abandoned tracts which it was no longer profitable to cultivate, we should not forget, amid all these presages of complete happiness, that it has been under the influence of protection to agriculture, continued for two hundred years, that the fen has been drained, the wild heath reclaimed, the health of a whole people improved, their life prolonged, and all this not at the expense of manufacturing prosperity, but concurrently with its wonderful advancement."—*Mr Villiers's Motion, March 15, 1839.*

But in April, 1840, we again come in view of the lapsed opinion of February, 1834. The following reads oddly, after the denunciation of enormous manufacturing towns:


"I can assure the house that I refer to everything connected with the manufactures and commerce of this country, with the

utmost anxiety. I feel that our main strength as a nation, and our position in the scale of nations, depend upon the maintenance of our manufactures ; and so much so, that if I were the exclusive advocate and partisan of the agricultural interest, I should tell the landowners that their best friends are the manufacturers, and that the manufactures of the country, and not the corn laws, are the main element of their prosperity and of the value of their land."—*Mr Villiers's Motion, April 3, 1840.* •

Further observation and reflection seem to have confirmed this opinion, which he again expresses, with renewed emphasis, thirteen months later :

"I said last year, and I repeat now, that I viewed with anxiety the state of the manufactures of this country. I stated then, as I state now, that I consider the prosperous state of the manufacturing industry of this country to be intimately connected with the welfare of our agriculture, and that the prosperity of our manufactures is a greater support to our agriculture than any system of corn laws. That was the language I held then, and that is the language I now repeat." -- *Speech on the Sugar Duties, May 18, 1841.*

After which it is infinitely perplexing to find him again of opinion, within three weeks, that, although the corn laws are not the main element of agricultural prosperity, yet a partial modification of those laws would paralyse agricultural prosperity :

"What the effect of a fixed duty may be is certainly doubtful : I believe it to be fraught with the most serious consequences. I do not believe that  can paralyse the agricultural prosperity by a fixed duty of 1s. a bushel upon corn, without seriously affecting other interests connected with agriculture."—*Motion of Want of Confidence in the Ministry, June 4, 1841.*

Yet the opinion of February, 1834, turns up again, and remains for the present in possession of the field :

"No man entertains a higher sense than I do of the value of manufactures. It would be ungrateful in me, and most unwise, were I to undervalue the importance of the cotton manufactures to the best interests of the country. When I sat on the other side of the house, I often stated an opinion to the same effect. I always expressed my sense of the importance of manufactures to agricultural prosperity. I have always maintained the opinion, and I repeat it now, that the prosperity of manufactures in a country is of more importance to the interests of agriculture than any system of corn laws whatever ; and therefore, in proposing, as a minister of the crown, an alteration in the corn laws, when I state that opinion, I do not do so for the first time."—*Mr Villiers's Motion, February 23, 1842.* •

Nor, if he had stated the direct contrary of this opinion, would he have done so for the first time.

Now, will any man undertake to tell us which of these two parliamentary opinions is Sir Robert Peel's private opinion? Does he hold that the ratio of commercial and manufacturing prosperity to agricultural prosperity is direct, or that it is inverse?

This series of contradictory assertions, incongruous assumptions, and fluctuating opinions, is most aptly closed, for the present, with that which faithfully represents them all—the new corn law of 1842. The inconsistent expectations, the clashing and mutually destructive arguments and opinions, expressed or implied by the Premier in his speeches on that measure, would of themselves supply matter for a moderate-sized volume. But all minor, collateral incongruities and contradictions sink into unnoticeable insignificance, when compared with the one radical absurdity which runs through the centre of the whole scheme: viz., that Sir Robert Peel intends and expects, by his new corn law, to realise the same average level of prices which had been produced by the old corn law. He effects a “very considerable diminution” in the amount of statutable protection, in order that the price of the protected commodity may remain undiminished. He finds a certain average result produced by the scale of 1828; he thinks that result a satisfactory one: and then he makes a very considerable change in the scale, with a view to the permanence of such result. He is pleased with the effect produced; desires its perpetual reproduction; and therefore very considerably alters the producing cause. In his speech of February 9, 1842, introducing his new sliding scale, he says—

“For myself I should say, that for the agricultural interest, as far as I can form a judgment—I should say, that if the price of wheat in this country could always be near a certain amount, its oscillations should be limited to some such price as between 54s. and 58s. I do not believe that it would be for the interests of agriculture that the price should be beyond that. . . . So far as I can form an opinion of what may be considered a fair remunerating price, I, for one, should not wish to see prices reach more than some such amount as 56s. I cannot say, on the other hand, that I should see any great advantage—considering the position of the agriculturists, considering the existing relations between landlord and tenant, considering the burdens on land, considering the habits of the country—I cannot say I should see any great advantage in diminishing the price of wheat below that average.”

“Some such price as between 54s. and 58s.” is the Premier's idea of what may be considered a fair remunerating

price, with a view to which he constructs his new corn law of 1842. Now, is it credible that, in this same speech, he takes much pains to show that some such price as this had been actually realised, on the average of years, by the old corn law of 1828? He says—

“If we take the average of wheat for the last ten years, we shall find that the price has been about 56s. 11d. But in that average is included the average of the last three years, when corn has been higher certainly than any one would wish to see it continue. Allowing for that excess of price, however, 56s. 11d. was the average price for the last ten years. . . . Take the average for the last ten years, excluding from some portion of the average the extreme prices of the last three years, and 56s. will be found to be the average price.”

Well, then, what was there to alter? If some such price as from 54s. to 58s. is the fair remunerating price, and if from 56s. to 57s. was the price actually realized by the old scale of duties, why make a new scale? Sir Robert Peel finds the corn law working excellently well, doing the very thing that ought to be done; and he very considerably alters it, in order that it may go on doing that same thing. He expects unaltered effects from altered causes. And with this absurdity he complicates another: viz., that the unaltered average of prices is somehow to involve a very considerable alteration in the amount of the landowners' protection. “It is impossible to deny,” he says in this same speech of 9th February, 1842, “comparing the duties which we propose with the duties as they exist at present, that there is a very considerable decrease of protection for the home grower.” This very considerable decrease of protection he proposes to accomplish by an arrangement for changing an average price of from 56s. to 57s. into an average price of from 54s. to 58s. Really, it makes one's head turn round. Never was such another hash of contradictions dressed up for the House even by this artist. This improved sliding scale of 1842, together with the speeches and arguments explanatory and vindicatory of it, presents a medley of paralogisms at which reason stands aghast, and logic and arithmetic are utterly confounded.

To all persons who desire truly to understand the character of Sir Robert Peel's mind, we especially recommend a study of his parliamentary opinions as to the reality, extent, causes, and remedies of the commercial and manufacturing distress of the last five years. Of these opinions, the earliest which we find on record is a triumphant denial of the fact that distress existed:

“What has become in this debate of the depressed state of manu-

factures? Why have the delegates been forgotten? When the member for Kendal (Mr G. W. Wood) stated, on the first night of the session, that manufactures were recovering from depression, and that the general commerce of the country was in a sound and satisfactory state, he provoked the utmost indignation by the manly candour of his avowals. Was he right, or was he wrong, in his statements? If he was right, why has he been punished for his honesty? If he was wrong, why have you not exposed his error? The fact is, you know that he was right, and that official documents, since published, have confirmed his statements. You know there could have been no permanent advantage in his concealment of facts, which, if withheld, those documents must shortly have exhibited. The displeasure which he has incurred, the punishment with which he has been visited, prove that he deprived the advocates for repeal of the argument on which they had mainly relied, when he publicly proclaimed, with the authority belonging to his name and station, that manufactures were rapidly reviving, and that commerce was in a satisfactory condition. The member for Kendal, holding the high office of President of the Chamber of Commerce of Manchester, disposed of the first allegation, namely, of present decay and general distress, when he declared it to be his opinion that the commerce of England is at the present moment in a most satisfactory condition, that he never recollected a period when the return to a state of healthy commerce and of comparative prosperity followed so rapidly a season of preceding depression; when he showed that the shipping interest of the country is now in a vigorous condition, and is rapidly extending.”—*Mr Villiers's Motion, March 15, 1839.*

In May, 1841, we find a change. The distress now is not denied; it is admitted, with feelings of pain and sympathy: but it is quietly referred to “our present complicated state of society” as its producing cause, and is viewed “without the alarm professed by honourable members opposite:”

“I do not deny that in this country there exists great manufacturing distress; and I am sure that, whatever may be the issue of our party contests in this house, we all hear with pain those details of individual suffering that have been read in the course of the debate. No man can hear them with more pain and sympathy than I do, no man can more cordially or more anxiously desire to relieve them. But, at the same time that I admit this, I am bound also to remind you that, at all times, and under all circumstances, similar distress has existed; and so long as we live in our present complicated state of society, I see no reason to suppose that such will not exist, and that appeals founded on it will not be preferred, and attempts made to influence, by these means, our reason and judgment. But although I freely admit the existence of such distress, I do not, I confess, view with the same alarm as honourable members opposite have professed to view it, the commercial and manufacturing condition of the country. I have referred, with some anxiety, to the accounts

that have been laid before the house as to the commerce and manufactures of this country. I see nothing in them to justify the belief that the depression in these branches of our national industry is more than temporary, and that we may not expect a speedy revival, from the elasticity of our resources."—*Sugar Duties, May 18, 1841.*

Three months later, the expectation of a speedy revival, from the elasticity of our resources, appears to have passed away, and given place to "a gloomy view," accompanied with despair of the possibility of any effectual legislative remedy. The distress is still considered to have its source in "the complicated commercial and manufacturing concerns of this country;" to which general cause is now added the "sudden invention and application of machinery," in particular:

"I own to you that mine is but a gloomy view of the subject. I fear that in the complicated commercial and manufacturing concerns of this country, no legislative remedy that you can by possibility devise, will be an effectual remedy against the recurrence of such distress. There is something in the sudden invention and application of machinery—conferring, I admit, in several instances, inestimable advantages upon this country, and increasing its productive power—but which is at the same time necessarily attended with the infliction of distress upon those who have previously subsisted on the produce of manual labour."—*Debate on the Address, August 27, 1841.*

As the year advanced, matters grew more serious. The Premier's sympathies were yet more deeply moved. He seems to have conceived a wild hope that, after all, some legislative remedy might be devised, and to have determined that at any rate something should be done, and that speedily; and when waited on, in the month of December, by the Short-Time Committee for the West Riding of Yorkshire, who presented to him a report stating that in Leeds alone nearly 20,000 people were living on elevenpence farthing or elevenpence halfpenny per week, he "took it with an air of deep commiseration," and said:

"I am grieved to say that I have already seen that document. I sympathise with the distress, and I feel that something must be done, and speedily, to remove it."^{*}

In about two months more, however, the scene changes again. Already has the gloom begun to clear away from the ministerial mind, and the feeling that "something must be done, and that speedily," is no longer traceable. The Premier still

* We use Mr Fleming's account of this interview, not being aware of any ground for distrusting its accuracy.

deplores and sympathises ; yet, instead of desponding, or thinking it needful to legislate, he entertains a confident hope and belief in the revival of our commercial prosperity, by the operation of natural causes :

"My belief is—while I admit that commercial distress—while I deplore the sufferings which have been produced, and sympathise with those who have been exposed to them—yet I feel bound to admit that I cannot attribute that distress in any degree to the operation of the corn laws, to which it has been supposed to be imputable. I do not view with those feelings of despair with which some are inclined to view them the commercial prospects of this country. I do not believe that the sources of our commercial and manufacturing prosperity are dried up; but I do say that a combination of causes, acting concurrently and simultaneously, is sufficient, in my opinion, to account in a great degree for that depression which has, unfortunately, prevailed in the manufacturing and commercial interests of this country; and I have that confidence in the native energy of this country—and I have had frequent opportunities of seeing periods of preceding depressions as great, and revivals of prosperity almost as sudden and extraordinary as those depressions—that I do entertain a confident hope and belief that we may still look forward, by the operation of natural causes, to the revival of our commercial prosperity."—*Corn Laws, Ministerial Amendment, February 9, 1842.**

But on the 16th of June following, the Minister's confident hope and belief has considerably abated : his reliance on the operation of natural causes is greatly impaired ; he again looks to a "something to be done" by legislation, and recommends alms-giving as an interim expedient. On Mr Ferrand's motion of that day, on the distress of the country (with a view to a grant of money to the distressed manufacturers), Sir Robert Peel, in opposing the motion, recognizes the distress fully, deplores it deeply, hopes that those who are affluent will contribute liberally, and adds—

"I can assure the house that the government is labouring silently,

* By this time Sir Robert Peel appears to have perfected his theory of the causes of the distress. He enumerates the following :—the stimulus given, by the facilities of credit, to great undertakings in 1837 and 1838 ; the connexion which existed between the directors and parties concerned in Joint-Stock Banks and the manufacturing establishments ; the immense efforts made for the increase of manufactories ; the immigration of labour from the rural districts into districts the seats of manufactures, and the immense increase of mechanical power which took place in consequence, in the years 1837 and 1838 ; the derangement of the monetary affairs of the United States ; the interruption of our amicable relations with China ; the recent alarm of war in Europe ; and the sudden employment of machinery, diminishing the demand for manual labour. Of this last cause of distress, however, he says, "It would be madness to attempt to check this."—*Ibid.*

though indefatigably, to alleviate the sufferings of the working classes, and with some hopes of success.”*

Five weeks later (on Mr Duncombe’s motion on the distress, July 21, 1842), we find Sir Robert Peel’s cheerfulness remarkably restored; he again argues at length against the existence of the distress (while fully admitting and deeply deploring it parenthetically), and brings forward his “one or two facts,” which, if they proved anything, would prove a rather more than average degree of commercial and manufacturing prosperity. The statistics of the number of inhabited houses in proportion to population are appealed to, as affording a “very fair test of the improvement of the country;” facts and figures are adduced, from sugar-duty returns and shipping returns, which are “in some degree an evidence that the distress which is admitted to exist in the country has been overrated;” favourable accounts, showing that a great improvement has taken place, are quoted from Manchester, for the purpose of discouraging the “desponding tone which has been so much indulged in:” and though he “would by no means be understood to deny the existence of distress,” and though he “must beg not to be misunderstood as underrating the distress, or as speaking with too great confidence with respect to the prospects of relief,” and though he “has some hesitation in holding out the prospect of immediate improvement,” yet he thinks, on the whole—

“It is probable the extreme point of depression has arrived, and that having passed, we may, without indulging a too sanguine hope, expect that better times will shortly arrive.”

Not one word is said of the “silent but indefatigable labours” which, five weeks before, he had been “prosecuting with some hopes of success.”

The expected better times did not shortly arrive; nor did the results of the “silent but indefatigable labours” ever make their appearance, from that day to this. Notwithstanding the very fair test of improvement afforded by the statistics of sugar, shipping, and inhabited houses, the all-hoping Premier finds himself, six months afterwards, writing a Queen’s Speech referring to “that depression of the manufacturing industry of the country which has so long prevailed, and which her Majesty has so deeply lamented.”

How infinitely pitiful is all this! During five successive years this country has suffered under a commercial and manu-

* N.B. These silent though indefatigable labours of government had no relation to the new tariff, which had been matured and introduced three months before.

facturing distress which, for intensity and duration, is without a parallel in our recent history : and of that distress our Prime Minister has formed no definite, consistent, and intelligible opinion ; for that distress he propounds no remedy ; he does not even know whether or not it is remediable. He has never at any time said a thing on the subject of that distress which he has not unsaid and contradicted at some other time. Now he boldly denies and disproves its existence ; now he fully admits its existence in general, while arguing against it in the detail, with arguments which, if they proved anything, would prove a more than average prosperity. At one time he negatives the possibility of any effectual legislative remedy ; at another time he is silently but indefatigably at work on a legislative remedy, and with some hope of success : but of his silent and indefatigable labours no fruit ever appears. He feels that " Something must be done, and that speedily ;" but nothing ever is done, speedily or tardily. This vast and awful fact of national distress has been without influence on Sir Robert Peel's mind : he has thrown no light upon it, he has exerted no strength in attacking and subduing it ; it is nowhere represented in his policy. The one only line of action which he has systematically and perseveringly pursued in regard to it, is that of arguing down notorious and admitted facts with dexterous parliamentary logic, and ingeniously-selected and adapted official statistics.

Does any man know Sir Robert Peel's opinions on political economy and finance ? Or, to narrow the question within more convenient dimensions, does any man know his opinions and intentions in regard to his own economical and financial measures ? He has said much, these two years past, of the policy of cheapening the necessities of life. " Buy in the cheapest market, and sell in the dearest," is a general rule in which now, he says, " all are agreed." He elaborately frames his new tariff with a view to cheapness ; he anticipates from it a reduction in the cost of living, from which " those who pay the poor rates will derive a considerable advantage."* On the 18th of March, 1842, he estimates the annual aggregate of the national saving, consequent on the cheapness resulting from this new tariff, at three millions and a half sterling (the anticipated amount of the income tax) ; on the 8th of May, 1843, he estimates that saving at five millions and a half sterling (the realized amount of the income tax) ; and yet, such is the crookedness of the man, in his arguments on the most important item of this very measure, he speaks of the desiderated and

* Haly, p. 436.

intended cheapness as a subject of apprehension and fear, a source of danger; and laboriously argues that the danger does not exist, that the fear and apprehension are unfounded:

“I think I can show in a satisfactory manner, that the apprehensions which are entertained on this point are entirely without foundation. From what countries is the danger from competition in the importation of fat cattle likely to arise? No one, I suppose, will argue that there is much danger to be apprehended from the competition that will arise from the importation of cattle from Spain and Portugal; I do not suppose that a single ox, fat or lean, will cross the Bay of Biscay for our markets. Let us next take France, and see whether there is any danger likely to arise from the importation of foreign cattle from that country. If any honourable gentleman will take the trouble to inquire, he will find that the supply of cattle has for some time in France been rapidly falling short of the demand of the population. . . . There is a great delusion in supposing that meat can be imported from Belgium and sold in England at any such low prices. I apprehend that Holland is not a country from which we need fear any great importation; there is no fresh land there for cultivation. Spain is out of the question. The Prussian League is, with respect to cattle, an importing and not an exporting country. The only danger, then, is from Holstein and Jutland. But the cost of the conveyance of an ox by sea from either of those countries is greater than from Aberdeen. Remember, also, the enormous increase of supply of cattle from Ireland, and that it has not lowered the prices; and then compare Holstein and Jutland with Yorkshire, and ask yourselves, is there any prospect of a competition which is likely to interfere with the interests of the English agriculturists? If you can make some reduction in price—if you can take any security against the exorbitant price of meat—you will be conferring a great advantage on all classes of the community, and even on the agriculturists themselves. But the extent of the area of the countries which can come in competition with them is so comparatively small, and the expense and difficulty of bringing cattle here from over the sea are so great, that they need fear no foreign competition.”—*Customs Acts Bill, May 10, 1842.*

Does Sir Robert Peel think he can “show in a satisfactory manner” how the contemporaneous expression of flatly opposite opinions, and employment of flatly opposite arguments, in reference to one and the same measure, can consist with mental integrity and honesty?

It would lead us too far to track in detail all the Premier's opinions on special points of economy and finance; and we will leave this part of our subject with noting, that on the question of an income tax there is scarcely a thing that he has at any time said, which he has not at some other time, by deed or word, unsaid. We quote the following from Mr Haly's collection:

"I think the noble lord (Althorp) has done well in not proposing an income or property tax. Nothing but a case of extreme necessity can justify parliament in subjecting the people of this country, in a time of peace, to the inquisitorial process which must be resorted to in order to render that impost productive; and to have recourse to such a machinery for the purpose of raising two or three per cent. would be most unwise. Such a tax is a great resource in a time of necessity, and therefore I am unwilling, by establishing the offensive inquisition with which it must be accompanied, to create such an odium against it as may render it almost impracticable to resort to it in time of extreme necessity. The application of the tax to Ireland would be attended with extreme difficulty. I really believe that this circumstance forms the main obstacle to the establishment of the tax. It hardly can be contended, that if a property tax were established, Ireland should be exempted from its operation. I wish to see Ireland as much favoured as possible consistently with justice; but to impose a property tax upon England and Scotland, and to exempt Ireland from its operation, would, in my opinion, however unpopular that opinion may be, be exceedingly unjust. The noble lord has, therefore, wisely abstained from agitating a question which cannot be satisfactorily settled. With respect to a tax upon property as distinguished from a tax upon income, I very much doubt whether it would promote the interests of the labouring classes, because it would diminish the funds at present appropriated to the encouragement of industry and the promotion of labour, and it would ultimately be found that the tax does not affect the person who pays it so much as the labourer, by diminishing his means of employment." — *The Budget*, April 19, 1833.

To discuss the question whether the "case of extreme necessity" has actually arisen, would not suit the plan or the limits of this article; and we let that pass. But on the remainder of this opinion we may note, that Sir Robert Peel has actually taken the "most unwise" step of having recourse to such a machinery for the purpose of raising two or three per cent.; and he has done the "exceedingly unjust" thing of imposing a property tax upon England and Scotland, and exempting Ireland from its operation. The terrors of the "inquisition," which he once deemed so "offensive," he has since pronounced to be mere folly; and all sensitiveness on this head he accounts frivolous and absurd.* The incidence of the tax on the labourer, "by diminishing his means of employment," he has of late flatly denied. The income tax is now a working man's boon; and on the 12th of April, 1842, the Minister cunningly "hopes" that, in case of there being public meetings against the new impost,—

"All those who, having incomes under 150*l.* a year, will not be

* March 23, 1842. See Haly, p. 428.

affected by my tax; and all those who think that the alterations to be effected by my tariff will be of benefit to them, will attend at those public meetings, and will take the opportunity of expressing their opinions on the subject."

If to this we add, that Sir Robert Peel has now taxed the funded property of foreigners—a thing which once he eloquently denounced as a violation of national faith and honour*—we believe we shall have completed the enumeration of as great a number and variety of inconsistencies and self-contradictions as any public man ever yet succeeded in crowding within so small a compass. Never were opinions more lightly played with than by Sir Robert Peel in his financial measures of last year. With all his habitual and well-known caution in committing himself, the Premier is wofully wanting in the true moral feeling of individual and personal responsibility for his expressions of opinion.

Sir Robert Peel has, in former days, done good service by his measures for amending and consolidating the criminal law; for which we willingly give him all the credit due to good intentions executed at a considerable expense of fatiguing and repulsive labour. Yet what, after all, is the true measure of Sir Robert Peel as a law reformer? His most eager admirers would probably feel some hesitation about naming him in close connexion with Romilly and Mackintosh. He has never advanced a single new and original idea on the subject of law reform: nor did he ever publicly adopt, and aid with his parliamentary and official influence, the new and original ideas of minds superior to his own, until he was quite sure of his majority. He never helped the cause of law reform when it was weak and needed help; he never had a strong, true word to say for it, during the years when it was struggling, in Romilly's hands, against adverse lawyer majorities. He never led opinion, but only followed it when it had already advanced so far, without him and against him, as that the government of which he was a member was outvoted.† The nature and amount of Sir Robert Peel's merits, as a law reformer, will be best understood by following the course of his opinions as they are here collected for us by Mr Haly.

In 1822, the system of English law is "the most perfect in the world;" and change must not be approached without due caution:

"We ought not to approach a change in the established mode of

* See Haly, p. 195.

† May 21, 1823; on Sir James Mackintosh's Motion.

administering justice in this country without due caution, and without taking especial care not to disturb that opinion as to the impartial administration of justice, which it is so desirable that the country at large should entertain. The fact that the system of this country is the most perfect system of jurisprudence in the world, imposes upon us the necessity of observing great caution in approaching it for the purpose of making any change."—*Debate on a Petition from Essex, praying for more frequent Gaol-Deliveries, March 27, 1822.*

In 1823, the criminal law is *not* perfect :

"I am ready to allow that the criminal law is not perfect. I am not such an advocate for the existing law, as to say that there is not upon the statute book any clause which ought not to be altered ; but neither can I agree with those who think that the whole criminal law of England is faulty."—*Sir J. Mackintosh's Resolution respecting the Rigour of our Criminal Laws, May 21, 1823.*

In 1826 and 1827, after government has been thrown into a minority by Sir James Mackintosh, he brings in his bills for amending and consolidating the criminal law ; of which bills he thinks so highly that he modestly says,—

"I think I may claim some credit to myself for having done more towards the great and important object of improving and consolidating the criminal statutes of this country, than any other individual who has gone before me."—*Criminal Law Consolidation Bill, February 22, 1827.*

E. g. more than Romilly or Mackintosh.

"Is not a patron," asks Johnson, in his Letter to Lord Chesterfield, "one who looks with unconcern on a man struggling for life in the water, and, when he has reached ground, encumbers him with help ?"*

On the subject of Popular Education, Sir Robert Peel has, from time to time, given utterance to some well-meant opinions, and to some kindly, and we doubt not sincere, sentiments ; for which we thank him. But not one thing has he ever said or done, that we have been able to discover, in regard to this matter, indicative either of large thought or of resolute and earnest purpose. The cause of education is indebted to him for many good-natured, well-intentioned, and neatly put-together words ; but not for one original suggestion, nor for one bold and vigorous act of official power. It is plain his heart is not

* Among Sir Robert Peel's recorded opinions on jurisprudence, we find one (Haly, p. 275) which we will venture to say he retains unaltered to this hour :

"The truth is, the less the Lord Chancellor of Ireland interferes with politics, the better."

in it. He has never given the smallest sign of having studied the question. His best eloquence, his wisest opinions on it, are thoroughly mediocre—the mere movable index of public opinion and feeling, as interpreted by a great parliamentary and party leader. It is instructive to note how movable the index is, and how far and fast it has moved in a short time. Sir Robert Peel's recognition even of the elementary fact, that we are not a well-educated people, is of quite recent date. When we hear him say, in 1839, "I, for one, am deeply convinced of the moral obligation, and of the absolute necessity, of providing for the education of the people,"* we cannot but remember that only six years before, he, for one, had no such conviction: the obligation he did not feel, and the necessity he did not see. So late as July, 1833, we find him giving utterance to such intolerable inanities as the following:

"Few persons, I think, will be found to deny the great advantage of extending the benefits of education among all classes of the community. But do not let it be supposed that education in this country is so defective as the honourable and learned gentleman (Mr Roebuck), seems to suppose. I believe that almost every person of influence and property endeavours to extend, to the utmost, the blessings of education in his own neighbourhood. Now I am of opinion that this is much more efficient than any general plan of education would be. This, however, is not enough for the honourable gentleman, for he thinks the care and superintendence of the state necessary. Before we adopt this course, we must assume that the education of the people is most defective. Now this point is at least doubtful."—*Mr Roebuck's Motion on National Education, July 30, 1833.*

How much is the opinion of that Statesman worth, who, after having held the Home Secretaryship for eight years, hesitates about assuming that the education of the people is most defective, and regards the point as at least doubtful?

These "opinions" of Mr Haly's, taken together with some others which we have been at the pains of collecting for ourselves, indicate a very curious revolution of sentiment on the subject of Public Opinion. Sir Robert Peel's notion of the intellectual value of public opinion, and of the respect due to it from statesmen, seems to have undergone a singularly complete and sudden change, somewhere about the time of the Reform Bill. Before that epoch, no sage, hero, apostle, or martyr for truth's sake, could more magnanimously defy the "fitful breezes of popular feeling."† Of the "opinions which

* Haly, p. 229.

† Ibid, p. 349.

prevailed out of doors, or of the impressions which they diffused," he was "perfectly careless."* Public opinion was "fickle, inconstant, and ungrateful," "founded on passion, and not on reason."† He "cared not for petitions, he valued them not: in his view, the House of Commons was fully competent to decide upon the whole merits of the case, unaided by external assistance; he thought they required no illumination from without, to enable them to form a sound decision upon whatever question might be submitted to their consideration."‡ He "had no notion of the prejudices of the people over-ruling the deliberations of the legislature."§ Since the year 1832, we find our Premier holding the more polite doctrine, that "no government can stand unless it be supported by public opinion, and unless its members possess the public confidence;"|| and during his administration of 1834-5, "his main object was to conciliate the good will and secure the confidence of all that portion of the community which was most capable of exercising an enlightened judgment on public affairs."¶ With the usual zeal of a recent and sudden convert, Sir Robert Peel has rather overdone his part. He is at times almost too eloquent on the subject of the rights and might of public opinion. On the 2nd of April, 1835, finding himself inconveniently out-voted in the first session of his own parliament, he actually goes the length of defying parliament and its votes:

"Let me whisper in your ear, that, though triumphant here, the power that you exercise does not act without these walls with that intensity with which it operates within. I tell you, that, notwithstanding your vaunted majorities, you do not control public opinion. Yes! there is a public opinion, which exists independently of elective franchises, which votes cannot inspire, which majorities cannot control, but which is an essential instrument of executive government. It will yield obedience to law; but, if there be not confidence in the decisions of this House, law itself will lose half its authority."

Yet even on this matter, on which, of all others, one might expect a statesman thoroughly to know his own mind, and distinctly to make it known, we are left quite in the dark as to what Sir Robert Peel's ultimate and settled opinion, if any, really is. More recently still, he has given symptoms of a re-conversion to the grave old constitutional doctrine of parliamentary sovereignty, any public opinion to the contrary notwithstanding:

* Haly, p. 45.

† Ibid, p. 350.

|| Ibid, p. 409.

‡ Ibid, p. 349.

§ Ibid, p. 350.

¶ Speech at the Mansion-house Dinner, December 23, 1834.

"It may be said, 'True, we may not have the confidence of the House of Commons, but perhaps (as Mr Pitt was able to say, though Mr Fox denied it), 'if we fail in the House of Commons, there are sufficient indications that we possess the confidence of the country.' First, however, I should say, with Mr Fox, it is dangerous to admit any other recognized organ of public opinion than the House of Commons. It is dangerous to set up the implied or supposed opinions of constituencies against their declared and authorized organ, the House of Commons. The House and the constituencies should not be brought into this unseemly contest.'—*Motion of Want of Confidence in Ministers, May 27, 1841.*

So that it appears, with regard to this capital question in the philosophy and morals of politics, How far it is the duty of a statesman to defer to public opinion, and through what channel, or channels, public opinion legitimately expresses itself—Sir Robert Peel, after a public life of upwards of thirty years, has not quite made up his mind.

And certainly, our Premier has not given practical proof of a clear understanding of this part of the philosophy of statesmanship. In the course of his political life-time, Sir Robert Peel has frequently resisted public opinion, and he has frequently yielded to public opinion; but he has done neither well. His resistance has been without grandeur, and his yielding without grace. No public man now living has made more and worse blunders in this matter. He has shown himself deficient not only in the heroism of a great statesman, but, in several instances, even in the generalship and tact of a dexterous politician. In regard to some of the greatest questions of the age, his opposition and his concession have been equally ill-timed and ill-managed. Again and again has he let the finest opportunities of winning honourable name and fame that a statesman could desire, slip by him unimproved; waiting "until the time should have arrived," long after the time was both come and gone; and then he has had to do the very thing, unthanked, or to look on, consenting, and see it done by others, which he had before unavailingly opposed. Of his mismanagement of the Catholic question we have already spoken. He made a similar mistake in 1828, in the business of the Test and Corporation Acts' Repeal. He did not know what to do, until an adverse majority informed him that it was too late to do anything with a good grace. "So great was his respect for that large and respectable body denominated Protestant Dissenters, that if he could be satisfied," &c., "he should be very strongly induced," &c.; "but he did not think," &c., and "it was not at all clear to him," &c., and "he regretted that any

chance should be hazarded, by which it was possible that the temperate and candid feeling," &c.,* and so the prudent and careful man boggled and blundered, and was outvoted, and finished by making the bill of the opposition a cabinet measure. His principle of action is excellently described by himself, when he says (May 2, 1828), "After the decision of the House, I did think that the time had arrived for abrogating the test altogether." But it is the business of a shrewd and able expediency-minister to anticipate parliamentary votes: on the very lowest ground of common official prudence, he ought to have known that the time had arrived, before the decision of the house.

Six years later, we find him "as much disposed as any man strenuously to contend for the removal of civil disabilities, prepared to maintain that principle, and to carry it practically to all its legitimate consequences."† But it is too late. His strenuous contention is not solicited.

It was the same with the question of Municipal Reform. Not until "after the decision of the house" was fully known, did Sir Robert Peel "think that the time had arrived" for abolishing close corporations. Never did a statesman make a greater blunder than did Sir Robert Peel, in leaving corporation abuses and corruptions untouched during his administration of 1834-5. On the commonest grounds of ministerial and party expediency, a large and thorough measure of municipal reform ought to have been his first official act. He might have seen that the old corporations were doomed at any rate. In executing judgment upon them he would have violated no pledge, and falsified no profession. They were a "proved practical grievance," and to the redress of proved practical grievances he was explicitly pledged. The opportunity was in his hands; but he let it go—a valuable legacy to his political opponents and official successors. Rarely has a more humbling and discreditable confession come from a statesman's lips than the following:

"When I look to the state of the population of the large towns of this kingdom; when I contemplate the rapidity with which places that, at no remote period, were inconsiderable villages, have, through manufacturing industry, started into life, and into great wealth and importance; when I look, too, to the imperfect provision which is now made for the preservation of order and the administration of justice in most of those towns, I cannot deny that the time has arrived when it is of the utmost importance to the well-being of society, to establish, within societies so circumstanced, a good system of

* See Haly, p. 208.

† Ibid, p. 211.

municipal government. In some of these towns, no permanent and regular provision is at present made for the maintenance of public order, and the general purposes of good government. In others, the provision which was originally intended to be made through the instrumentality of the corporate system, has become utterly inefficient for the purpose; and I am bound to admit, therefore, that on account of the change of circumstances, and on that account singly, there is ample ground for now considering whether such provision ought not to be made in towns not corporate, and whether, in those towns which have corporations, the provisions at present in force be not inadequate. I am bound also to state, that on referring, as fully as I have been able to do, since they were presented, and amidst the great pressure of other business, to the reports on the state of corporations, the general impression left on my mind is, that, independently of the considerations above-mentioned, the general purport of the evidence adduced before the commission shows that the time is also arrived when it is necessary for parliament to interfere, for the purpose of providing some effectual checks against the abuses which have been proved to prevail in some of the corporate bodies of this country. I, therefore, without hesitation admit that it is of the utmost importance to the well-being of society that a good system of municipal government should be provided for the large towns of this country, whether they be corporate or not, by means of which the regular and pure administration of justice may be extended and secured, and the maintenance of public order promoted, through the means of a well-regulated police.”—*Lord John Russell's Motion on Municipal Corporation Reform in England and Wales, June 5, 1835.*

Admission—inability to deny—obligation to state—this is not the language of a great man, an accomplished and leading statesman. Here is Sir Robert Peel in the mortifying predicament of being bound to admit, and unable to deny, that one of the very first acts of his rivals and successors in office is a measure “of the utmost importance to the well-being of society.” He had slept on this question during a political life-time, all the while that the elements of it were growing under his eyes; he had not originated the inquiry, nor obtained the reports; he had never done, nor caused to be done, a single thing in the matter; his only share in it is as member of a select committee appointed by a Whig Government: and at last, on retiring from office, the pressing and imperious necessity of a measure “of the utmost importance to the well-being of society” comes from him in the shape of an admission. He was some months, or years, too late with his admissions.

On the whole, Sir Robert Peel has not been a successful man, in any large and high sense of “success.” All his successes have been successes of detail. He has succeeded—

under circumstances in which, probably, no other public man now living could have succeeded—in building up a “great conservative party,” and in getting himself and his party floated into office, with a larger amount of parliamentary strength, for the short time it may last, than any British minister has wielded since the days of Pitt: but the success is not of a description that will count for much in history.. Taken as a whole, with thirty-four years of statesmanship before us to judge by, Sir Robert Peel’s career may be pronounced, even now, a failure. Dexterous and able (some remarkable errors excepted) as a politician, acute and fluent as a parliamentary debater, skilful as a party leader, he has failed—utterly and signally failed—as a statesman. His public life is a series of anomalies, contradictions, and false positions. By birth, he represents the democratic, industrial power of the age; by temperament, he represents the average conventional middle-class intelligence and morality of the age; by natural and acquired talent, official knowledge, and good intentions, he should be the prudent reformer of proved practical abuses, the skilful, upright administrator of established institutions, according to established forms and methods:—by choice, or force of circumstances, he is the disliked, mistrusted, yet indispensable leader and organ of a party with which he has not one natural tendency in common. He began life with giving in his adhesion to principles whose influence has been pretty steadily on the wane ever since. His career has been a lengthened series of tardy, reluctant, grudging and ineffectual concessions and retractations. He has conceded more and achieved less than any other party leader of this century. There is no one great plan, purpose, or principle with which he started in public life, that he has successfully carried through and realised in law and institution. In the whole of his career, from first to last, he has not carried one point according to his own original and independent notion of political fitness. On nearly all the great questions of his time his voice has been heard on both sides. He cannot put his finger on any one large and complete measure, legislative or administrative, conservative or reforming, and say “This is mine; this represents my individual, original, and settled conviction of the expedient and right.” Even the bill popularly known as Peel’s Bill—in regard to which he deserves much credit, both for the manly avowal of changed opinion which accompanied its introduction, and for the constancy with which he has since adhered to it—is not his, but Francis Horner’s. His Emancipation Act belongs not to him; but to Pitt, Fox, Burke, Canning, O’Connell, and the Whigs.

His Test Act repeal is Lord John Russell's. His law reforms come from Romilly and Mackintosh. All that may be of good in his new tariff belongs to Mr Deacon Hume; and his improved sliding scale was only an abortive peace-offering to the Anti-Corn-Law League, a yielding to the pressure from without. He has not been successful as a Conservative statesman, according to his own interpretation of conservatism. He could not save Orange Lodges from parliamentary and royal censure; he could not keep the Irish Catholics out of the pale of the constitution; he could not stay parliamentary reform; he could not save the corn law from the lottery of legislation. He has not proved himself a good expediency statesman, according to his own acceptance of expediency. Every point on which he took his stand at the outset of his career he has had to concede; and his concessions have usually come too late to be effectual for conciliation.

Sir Robert Peel has never led opinion—he has always been led by it. At no period of his life has he been a substantive power in the world. ‘Sir Robert Peel and his Era’ is the title of one of the volumes before us. The combination is hardly a felicitous one. Sir Robert Peel’s name is not that by which history will recognise this era; Sir Robert Peel’s mind has not in any way stamped its impress on this era. Of all the important measures of legislation and government which he has been instrumental in carrying, not one bears the mark of his individual mind; not one is the expression of ideas or principles with which he commenced his public life. He is at this moment pledged to govern “in the spirit” of the Acts of Emancipation and Reform; in the spirit of acts which he has over and over again declared to be fraught with danger and mischief. He not merely accepts these acts as *faits accomplis*, to be left undisturbed on the statute-book in right of prescription—but he undertakes to execute them according to their spirit; he adopts them as the groundwork of his policy: he accepts his theory of statesmanship, his idea of government, at the hands of his rivals and opponents. That frequent reiteration of the first personal pronoun, which has been so much noted as a characteristic of his parliamentary eloquence, in no way expresses the real quality of his public life. His individual personality is much in his speeches, but it is little in his acts: in these he is but the unconscious servant of a higher power, and organ of a higher will. Never was a man more void of faith, more destitute of deep, earnest individual conviction. On very carefully studying Sir Robert Peel’s speeches and opinions, with a view to discover his real political creed, his private and personal faith as a statesman, we can find nothing in which he seems to be-

lieve with his whole heart and soul, and mind and might, except the "force of existing circumstances," the "highly artificial and complicated state of society in which we live in a country like this," and (since the Reform Bill) the "force of public opinion."

The plain truth is, Sir Robert Peel is not of the order of great men. We freely credit him with good and kindly intentions, decorous moralities, a conciliating temper, and very great talent : but he is destitute of fixed principles, large ideas, and commanding views ; incapable of rising to a great height at the call of a great occasion ; he thoroughly lacks the *mens divini*or of a high and generous statesmanship. A tame and characterless mediocrity is the predominant quality of his mind. He cannot point to any one great principle or purpose which he has steadily vindicated, in season and out of season, in the face of public apathy and hostile parliamentary majorities, which he has stood by, man-like, in dark and difficult times, and at last triumphantly carried through.

P.

ART. II.—*Poems.* By William Thom. Inverury, Aberdeenshire. (Unpublished.)

THE poems which we wish to introduce to our readers have appeared in the Aberdeen newspapers with a few exceptions. They have never been collected and published. Their author, Mr Thom, is a weaver in Inverury, a small rural burgh in Aberdeenshire, situated about sixteen miles from the capital of the county, where the Ury runs into the Don, near the foot of a lofty heather-clad mountain called Benachie. Inverury is not destitute of interesting associations. Its Bass—a small round green island in a morass—is the subject of a prophecy of Thomas the Rhymer. Not far from Inverury is the wild and barren field of Harlow, where, four centuries ago, lowland valour proved its superiority over Celtic fire ; the civic Baillies defeating the highland chieftains, and Provost Davidson, of Aberdeen, routing the most powerful of the Lords of the Isles. Benachie gave a name to one of the giants celebrated in old ballads, still *crooned* by grandsires by the winter fire-side—John of Benachie, the friend of John o' Noth.

Of the poems of Mr Thom we think so highly, that we make no apology for devoting our pages to an account of them. His biography, as we have been able to gather it, is a poem of itself,

simple, real, touching, and instructive: in fact, our poet is autobiographical. His prose and verse both delineate his life—that awful and touching thing which is tritely called a biography—a soul encased in a man heaving and swelling with love and sorrow—struggling against cold and hunger—wafted aloft to good, torn down by the talons of sin, the black shadow of Death ever ready to fall on the spark which has brightened out between the past and the future Darkness.

In self-portraiture like that of Mr Thom, there is nothing of the pettiness of egotism. He sings his own emotions because they are grand and beautiful to him. He narrates the incidents of his own experience, because he sees rays of light are thrown by them on the sufferings of his class and the humanity of which he is a partaker.

William Thom is now about forty-five years of age. His stature is short, and his legs stunted, like those of one whose childhood was not generously fed; but there is breadth in his shoulders and clearness in his complexion, indicating a hale and tough constitution. Light auburn hair, now silvering, covers a large broad head with ample brow, firm set mouth, and light blue twinkling eyes, full of the sensibility and acuteness of the man. His dress is of that of his station—the corduroy trousers, the blue short coat with brass buttons, and the silk hat, having that air of smartness peculiar to the costume of those who follow the sedentary trades. By the way, this smartness is a more respectable thing than the contempt with which it is mentioned by well-off people. In short, Mr Thom looks like what he is—a clever man—in early life a factory boy, in manhood a country weaver. He thus describes his dwelling, in a letter, dated April, 1841, to Mr Gordon, of Knockespoek, who kindly tried to befriend the poet:—

“I occupy two trim little garrets in a house belonging to Sir Robert Elphinstone, lately built on the market stand of Inverury. We have everything required in our humble way; perhaps our blankets pressed a little too lightly during the late severe winter, but then we crept closer together—that is gone—’tis summer now, and we are hopeful that next winter will bring better things.”

Such is the environment of William Thom, in Inverury, at the heathery feet of the mist-crowned Benachie.

Mr Thom was born in Aberdeen, and is the son of a widow.

“In the summer of 1805, a nobleman’s carriage was ran away with on the race course at Aberdeen. Several persons were severely injured; the leg of a poor lad of seven years of age was run over, and the ankle and foot crushed together under the wheels. Ten

shillings were given to his poor mother, who, although urged by her neighbours to petition for something more, however severely pressed, had too much of the proud and independent soul of a Scotchwoman to ask. She was silent; she sunk and died in poverty. After suffering much agony the boy remained a cripple for life."

When ten years of age, the cripple boy was placed in a public factory, where he served an apprenticeship of four years, at the end of which he entered the great weaving establishment of Gordon, Barron, and Co., remaining seventeen years.

"During my apprenticeship," continues Mr Thom, "I had picked up a little reading and writing. Afterwards set about studying Latin; went so far, but was fairly defeated through want of time, &c., having the while to support my mother, who was getting frail. However, I continued to gather something of arithmetic and music, both of which I mastered so far as to render further progress easy did I see it requisite. I play the German flute tolerably in general subjects: but in my native melodies, lively or pathetic, to few will I lay it down. I have every Scotch song that is worth singing, and though my vocal capability is somewhat limited, I can convey a pretty fair idea of what a Scotch song ought to be."

Mr Thom's account of his education is a very fair specimen of that of the best of his class and generation in Scotland. Prior to entering the factory the boy has reading and writing and arithmetic enough to make the keeping up of these acquirements quite easy to all but downright dunces. This is all the herd of Scotch weavers do for life. But the best of them have loftier ideas. We have seen optical and astronomical instruments constructed in moments snatched from the loom. A pale youth has been seen reading a borrowed copy of the '*Principia of Newton*' on his loom during his dinner hour. Camera obscuras, orations, telescopes, magnifying glasses, are the amusements of men who toil on the loom for twelve and fourteen hours a day. If you join a group of four or five of this better order of Scotch mechanics in their Sunday morning stroll, ten to one they are discussing a topic in geology, or astronomy, or metaphysics. The attempt of Mr Thom to learn Latin is characteristic of his class. A second-hand copy of '*Ruddiman's Latin Rudiments*' is bought for sixpence, and a little class of three or four is formed to teach each other the language of ancient Rome. The ascent is steep, dry, and difficult. For a winter, perhaps, all persevere, snatching from meal hours time to learn, and from sleep an hour to repeat their lessons. In the spring one who was always a laggard, joins a set for excursions of pleasure, which engross all his leisure and cash. Another has surveyed with glistening eyes a comely

factory lass with shining morning face, neatly braided hair, and small waist clasped by her white wrapper—

“ Her waist sac jimp, her limbs sac clean,
Her tempting lips, her roguish cen.”

By heaven and earth he loves her!—and there is an end of his Latin studies. Pleasure and Love chain these two to poverty and the loom for life. Two still persevere. Of these the one becomes a clerk, a manager, a manufacturer; the other finds his way through a college, and “ wags his head in a pulpit.” In the case of Mr Thom we fear music and the Muses interfered to prevent Latin from being to him what it is to many of his countrymen and class—the stepping stone into middle-class life.

This seems an appropriate place to introduce the first of the poems of Mr Thom, which brought him into some notice on its appearance in the ‘ Aberdeen Journal,’ one of the oldest and best circulated of Scotch newspapers.

THE BLIND BOY'S FRANKS.

“ I'll tell some ither time, quo' he,
How we love an' laugh in the north countrie.”—*Legend*

“ Men grew sac cauld, maids sac unkind,
Love kent (*a*) na whaur (*b*) to stay
Wi' fient (*c*) an arrow, bow, or string—
Wi' droopin' heart an' drizzled wing,
He faught (*d*) his lonely way.

‘ Is there nae mair, in Garioch fair,
Ac (*e*) spotless hame for me?
Hae politics, an' corn, an' kye,
Ilk bosom stappit? (*f*) Fie, O fie!
I'll swithe (*g*) me o'er the sea.’

He lanch'd a leaf o' jesamine,
On whilk he dared to swim,
An' pillowed his head on a wee rose bud
Syne (*h*) slighted Love awa' did scud
Down Ury's wae fu' stream.

The birds sang bonnie as Love drew near,
But dowie (*i*) when he gaed by;
Till lulled wi' the sough (*j*) o' monie a sang,
He sleepet fu' soun' as he sail'd along
'Neath he'ven's gowden sky!

- | | | | |
|---------------------------|-------------------------|----------------------------|----------------------------|
| (<i>a</i>) knew. | (<i>d</i>) battled. | (<i>g</i>) scamper away. | (<i>i</i>) low spirited. |
| (<i>b</i>) where. | (<i>e</i>) one. | (<i>h</i>) then. | (<i>j</i>) moaning. |
| (<i>c</i>) devil a bit. | (<i>f</i>) choked up. | | |

'Twas just whaur ccepin' Ury greets
 Its mountain cousin Don,
 There wandered forth a weelfaur'd (*k*) dame,
 Wha listless gazed on the bonnie stream,
 As it flirted an' played wi' a sunny beam
 That flickered its bosom upon.

Love happit (*l*) his head, I trow, that time,
 When the jessamine bark-drew nigh,
 An' the lassie espied the wee rose bud,
 An' aye her heart gae thud (*m*) for thud,
 An' quiet it wadna lie.

'O gin I but had yon wearie wee flower
 That floats on the Ury sae fair !'
 She lootit (*n*) her hand for the silly rose-leaf,
 But little kent she o' the pawkie (*o*) thief,
 That was lurkin' an' laughin' there !

Love glower'd (*p*) when he saw her bonnie dark e'e,
 An' swore by heaven's grace
 He ne'er had seen nor thought to see,
 Since e'er he left the Paphian lea,
 Mair lovely a dwallin' place.

Sync, first of a', in her blythesome breast,
 He built a bower, I ween ;
 An' what did the waefu' devilick neist ?
 But kindled a gleam like the rosy east,
 That sparkled frae baith her een.

An' then beneath ilk high e'e bree
 He placed a quiver there ;
 His bow ? What but her shinin' brow ?
 An' O sic deadly strings he drew
 Frae out her silken hair.

God be our guard ! sic deeds waur deen,
 Rouu' a' our countrie then ;
 An' monie a' hangin' lug (*q*) was seen
 'Mang farmers fat an' lawyers lean,
 An' herds a' common men !"

There is much sweetness and beauty in this little piece. If the melody of it is not obvious to any one, the reason is the ignorance of the reader of the Aberdeenshire dialect.

Love is the theme of several of the songs of Mr Thom. His love songs have often been surpassed in power and brilliancy, but

(*k*) well-favoured. (*m*) knock. (*o*) designing. (*q*) ear.
 (*l*) concealed. (*n*) stooped. (*p*) stared in surprise.

seldom in sweetness. Passion in its fire and affection, in its heroic devotedness, are not sung by the poet of the Ury. Yet his love songs are tender and heartfelt. They embody the feelings of those who have found affection a cup from which they have chiefly drank sorrow. 'O Mary, when you think of me,' is a song expressing the sorrow of a lover who is loved too late. His fresh affection has been frowned down, and his enthusiasm of devotedness repulsed with pride, until grief has made his whole heart her own, and the loved one, in the excess of her power to pain, has lost the power to gladden.

"O Mary, when you think of me,
Let pity hae its share, love!
Tho' others mock my misery,
Do you in mercy spare, love.
My heart, O Mary, own'd but thee,
An' sought for thine so fervently!
The saddest tear e'er wat my e'e,
Ye ken wha brought it there, love!

O, lookna wi' that witchin' look
That wiled my peace awa', love;
An' diinna let me hear you sigh—
It tears my heart in twa, love.
Resume the frown ye'd wont to wear,
Nor shed the unavailing tear!
The hour of doom is drawing near
An' welcome be its ca', love!

How cou'd ye hide a thought sac kind
Beneath sac cauld a brow, love?
The broken heart it winna bind
Wi' gowden bandage now, love.

No, Mary. Mark yon reckless shower;
It hang aloof in scorching hour.
An' helps na now the feckless flower,
That sinks beneath its flow, love."

A shallow and sceptical spirit overlooks the immense importance of Love in the life of a man. Few things are deeper and stronger. The lust of money, of importance, and fame, are tolerably powerful things in society; yet these are weak in their influences on character and happiness, compared with the thirst for love. In 'Ythanside' the poet celebrates the scene of one of those brief affectionate fancies which all have felt, and which inexorable circumstances turn into beautiful recollections, scarcely distinguishable from dreams, all one's life after. The scene is laid in the woods of Eslemopt, where nature has scooped a beau-

tiful little gallery, a "high and heathy seat," in a most romantic pinnacle which overhangs the Ythan.

YTHANSIDE.

"I had ae night, and only aye,
On flow'ry Ythanside,
An' kith or kindred I hae nane
That dwell by Ythanside;
Yet midnight dream and morning vow
At hame they winna bide,
But pu', and pu' my willing heart
Awa' to Ythanside.

What gars ilk restless, wand'ring wish
Seek aye to Ythanside,
An' hover round yon fairy bush
That spreads o'er Ythanside?
I think I see its pawkie boughs,
Whaur lovers weel might hide;
An' O! what heart could safely sit
Yon night at Ythanside?

Could I return and own the skaith
I thole frae Ythanside,
Would her mild e'e bend lythe on me
Ane mair on Ythanside?
Or, would she crush my lowly love
Beneath a brow o' pride?
I daurna claim, and maunna blame,
Her heart on Ythanside.

I'll rue yon high and heathy seat
That hangs o'er Ythanside;
I'll rue the mill whaur burnies meet;
I'll rue ye, Ythanside.
An' you, ye Moon, wi' luckless light,
Pour'd a' yer gowden tide
O'er sic a brow!—sic cen, yon night!—
Oh, weary Ythanside!"

The associations of the affections can make the most barren spots dear to men. Hence, national and local attachments become strongest in persons of the finest natures. When they narrow the intellect and restrain the sympathies, they produce, no doubt, the antipathies which are the fuel of war. As they deepen in generous souls, they fill history with heroism.

The feelings associated with the land in former days bound the serf to the landlord, they now array the thoughtful mechanics against the lords of the soil.

“ My heather land, my heather land !
 Though chilling winter pours
 Her freezing breath round fireless hearth,
 Whaur breadless misery cowers ;
 Yet breaks the light that soon shall blight
 The godless revivin’ hand——
 When wither’d tyranny shall reel
 Frae our rous’d heather land.”

“ Why are not you a Conservative ? ” asked a conceited personage, who thought Conservatism a gentlemanly thing, of the intelligent William Thom ; the reply was—“ If you were cold and starving, *that* is not a state of things of which you would be Conservative.” Hence a generation has grown up, among whom a sense of oppression is universal. They cannot believe that the aristocracy generally entertain kind feelings towards them. By their hold of the powers of legislation the Highland chieftains have made the soil of Scotland entirely their own, in utter disregard of the claims of the descendants of their clans—whose fathers won and defended it by their swords, on the honourable understanding that their descendants should be supported upon it for ever. Chieftains now-a-days clear their estates of the sons of those to whose liberally-shed blood they owe them. Hence the spectre of tyranny which all the poor Scotch see overshadowing the

“ Land of brown heath and shaggy wood,
 Land of the mountain and the flood.”

Poor men think that long ere now the law, if justly made, would have given a permanent tenure of the land to the persons who are now cleared off it. Unhealthy and unhappy though these feelings are in men in the situation of Mr Thom, they are natural and inevitable. Such men heed not the fact that these ideas and feelings are injurious to their personal interests. Unfinished and rough though it be, there is a striking exhibition in the following verses of the sympathy with poverty which all poor men feel.

A CHIEFTAIN UNKNOWN TO THE QUEEN.

“ Auld Scotland cried ‘ Welcome your Queen ! ’
 Ilk glen echoed ‘ Welcome your Queen ! ’
 While turret and tower to mountain and moor,
 Cried ‘ Wauken and welcome our Queen ! ’
 Sync, O sic deray was exprest,
 As Scotland for lang hadna seen ;
 When bodies cam bickerin’ a’ clad in their best—
 To beck to their bonnie young Queen.

When a' kinds o' colours cam south,
 An' scarlet frae sly Aberdeen;
 Ilk flutterin' heart flitted up to the mouth,
 A' pantin' to peep at our Queen.

There were Earls on that glitterin' strand,
 Wi' diamonded Dame mony ane;
 An' weel might it seem that the happiest land
 Was trod by the happiest Queen.

Then mony a chieftain's heart
 Beat high 'neath his proud tartan screen;
 But one sullen chief stood afar and apart,
 Nor recked he the smile o' a Queen.

Wha's he winna blink on our Queen,
 Wi' his haffets sac lyart and lean?
 O ho! it is Want, wi' his gathering gaunt,
 An' his million o' mourners unscen.

Proud Scotland cried 'Hide them, O hide!'
 An' lat na them light on her c'en;
 Wi' their bairnies bare, it would sorrow her sair!
 For a mither's heart moves in our Queen."

Mr Thom's sympathies with Want are not the creatures of his fancy. They are produced by experience. They are not information—they arise from knowledge, intense, personal, practical knowledge. In the spring of 1837 certain American failures silenced in one week six thousand looms in Forfarshire. Newtyle, the village in which Mr Thom resided, was an especial sufferer. He had to maintain a family of six persons on five shillings weekly. We quote his description of one specimen morning at Newtyle.

"Imagine a cold spring forenoon. It is eleven o'clock, but our little dwelling shows none of the signs of that time of day. The four children are still asleep. There is a bed-cover hung before the window, to keep all within as much like night as possible; and the mother sits beside the beds of her children, to lull them back to sleep whenever any shows an inclination to awake. For this there is a cause, for our weekly five shillings have not come as expected, and the only food in the house consists of a handful of oatmeal saved from the supper of last night. Our fuel is also exhausted. My wife and I were conversing in sunken whispers about making an attempt to cook the handful of meal, when the youngest child awoke beyond its mother's power to hush it again to sleep, and then fell a-whimpering, and finally broke out in a steady scream, which of course rendered it impossible any longer to keep the rest in a state of unconsciousness. Face after face sprung up, each with one consent exclaiming,

‘Oh, mother, mother, gie me a piece!’ How weak a word is sorrow to apply to the feelings of myself and wife during the remainder of that dreary forenoon!”

Seeing that the strength of himself and his family was rapidly declining, William Thom pawned a dear relic of better days for ten shillings, bought four shillings’ worth of second-hand books to sell again, and leaving the furniture and key of his habitation with the landlord, set out with his family on foot in quest of bread. After sunset on the third day, Saturday, rain came on, with cold, sour east winds. They asked forlorn-looking beings they met what farm-towns in the vicinity were most likely to afford them shelter for the night.

“Jean, my wife, was sorely exhausted, bearing an infant constantly at the breast, and often carrying the youngest boy also, who had fairly broken down in the course of the day. It was nine o’clock when we approached the large and comfortable-looking steading of B——, standing about a quarter of a mile off the road. Leaving my poor flock on the wayside, I pushed down the path to the farmhouse with considerable confidence, for I had been informed that B—— (meaning, by this local appellation, the farmer) was a humane man, who never turned the wanderer from his door. Unfortunately for us, the worthy farmer was from home, and not expected to return that night. His housekeeper had admitted several poor people already, and could admit no more. I pleaded with her the infancy of my family, the lateness of the night, and their utter unfitness to proceed—that we sought nothing but shelter—that the meanest shed would be a blessing. Heaven’s mercy was never more earnestly pleaded for than was a night’s lodging by me on that occasion. But ‘No, no, no,’ was the unvarying answer to all my entreaties.

“I returned to my family. They had crept closer together, and, except the mother, were fast asleep. ‘Oh, Willie, Willie, what keepit ye?’ inquired that trembling woman; ‘I’m dootfu’ o’ Jeanie,’ she added; ‘isna she waesome-like? Let’s in frae the cauld.’ ‘We’ve nae way to gang, lass,’ said I, ‘whate’er come o’ us. Yon folk winna hae us.’ Few more words passed. I drew her mantle over the wet and chilled sleepers, and sat down beside them. My head throbbed with pain, and for a time became the tenement of thoughts I would not now reveal. They partook less of sorrow than of indignation, and it seemed to me that this same world was a thing very much to be hated; and, on the whole, the sooner that one like me could get out of it, the better for its sake and mine own. I felt myself, as it were, shut out from mankind—enclosed—prisoned in misery—no out-look—none! My miserable wife and little ones, who alone cared for me—what would I not have done for their sakes at that hour! Here let me speak out—and be heard, too, while I tell it—that the world does not at all times know how unsafely it sits: when Despair has loosed Honour’s last hold upon the heart—

when transcendent wretchedness lays weeping Reason in the dust—when every unsympathising on-looker is deemed an enemy—who THEN can limit the consequence? For my own part, I confess that, ever since that dreadful night, I can never hear of an extraordinary criminal, without the wish to pierce through the mere judicial view of his career, under which, I am persuaded, there would often be found to exist an unseen impulse—a chain, with one end fixed in nature's holiest ground, that drew him on to his destiny.

“I will resume my story. The gloaming light was scarcely sufficient to allow me to write a little note, which I carried to a stately mansion hard by. It was to entreat what we had been denied at B—. This application was also fruitless. The servant had been ordered to take in no such notes, and he could not break through the rule. On rejoining my little group, my heart lightened at the presence of a serving-man, who at that moment came near, and who, observing our wretchedness, could not pass without endeavouring to succour us. The kind words of this worthy peasant sunk deep into our hearts. I do not know his name; but never can I forget him. Assisted by him, we arrived, about eleven o'clock, at the farm-house of John Cooper, West-town of Kinnaird, where we were immediately admitted. The accommodation, we were told, was poor—but what an alternative from the storm-beaten wayside! The servants were not yet in bed; and we were permitted a short time to warm ourselves at the bothy fire. During this interval the infant seemed to revive; it fastened heartily to the breast, and soon fell asleep. We were next led to an out-house. A man stood by with a lantern, while with straw and blankets we made a pretty fair bed. In less than half an hour the whole slept sweetly in their dark and almost roofless dormitory. I think it must have been between three and four o'clock when Jean wakened me. Oh, that scream!—I think I can hear it now. The other children, startled from sleep, joined in frightful wail over their *dear sister*. Our poor Jeanie had, unobserved by us, sunk during the night under the effects of the exposure of the preceding evening, following, as that did, a long course of hardship, too great to be borne by a young frame. Such a visitation could only be well borne by one hardened to misery and wearied of existence. I sat a while and looked on them: comfort I had none to give—none to take: I spake not—what could be said?—words? oh, no! The worst is over when words can serve us. And yet it is not just when the wound is given that pain is felt. How comes it, I wonder, that minor evils will affect even to agony, while paramount sorrow overdoes itself, and stands in stultified calmness? Strange to say, on first becoming aware of the bereavement of that terrible night, I sat for some minutes gazing upwards at the fluttering and wheeling movements of a party of swallows, our fellow-lodgers, who had been disturbed by our unearthly outcry. After a while, I proceeded to awaken the people in the house, who entered at once into our feelings, and did everything which Christian

kindness could dictate as proper to be done on the melancholy occasion. A numerous and respectable party of neighbours assembled that day to assist at the funeral. In an obscure corner of Kinnaird churchyard lies our favourite, little Jeanie.

“Early on Monday we wandered onwards without any settled purpose or end. Nor knew we where that night our couch might be, or where to-morrow our grave. ’Tis but fair to say, however, that our children never were ill off during the daytime. Where our goods were not bought, we were nevertheless offered ‘a piece to the bairnies.’ One thing which might contribute to this was, that our appearance, as yet, was respectable, and it seemed as if the people saw in us neither the shrewd hawker nor the habitual mendicant, so that we were better supplied with food than had been our lot for many a month before. But oh, the ever-recurring sunset! Then came the hour of sad conjecturing and sorrowful outlook. To seek lodging at a farm before sunset, was to ensure refusal. After night-fall the children, worn out with the day’s wanderings, turned fretful, and slept whenever we sat down. After experience taught us cunning in this, as in other things—the tactics of habitual vagrants being to remain in concealment near a farm of good name until a suitable lateness warranted the attack.”

William Thom and his family, during their wanderings in quest of work, had considerable experience of the lodging-houses for poor travellers called in England tramp-houses. Cheapness is the sole recommendation of these places. Without fires, without seats, these places pack five or six persons into one box called a bed, and hence there is small need for bed-clothes. At Methven, as this poor family sat in the lodging-house of “Mrs L.,” they were informed that their entertainment would cost them sixpence, which, according to the standing rule of the establishment, must be paid before they “took off their shoon.” The expression did not seem appropriate in a hotel in which most of the guests were barefooted. The demand of sixpence exceeded the finances of Mr Thom, who had only got fivepence-halfpenny in the world. He therefore desperately resolved to sally forth with his flute, and play it for money in the outskirts of the village. Homer had done a similar thing in Greece—Goldsmith on the continent, and neither of them had children in Methven or anywhere else, nor perhaps a landlady who attached special consequence to the moment that undid the shoe-tie.

“Musing over these and many other considerations, we found ourselves in a beautiful green lane, fairly out of the town, and opposite a genteel-looking house, at the windows of which sat several well-dressed people. I think that it might be our bewildered and hesitating movements that attracted their notice—perhaps not favour-

ably. 'A quarter of an hour longer,' said I, 'and it will be darker; let us walk out a bit.' The sun had been down a good while, and the gloaming was lovely. In spite of everything, I felt a momentary reprieve. I dipped my dry flute in a little burn, and began to play. It rang sweetly amongst the trees. I moved on and on, still playing, and still facing the town. The 'Flowers of the Forest' brought me before the house lately mentioned. My music raised one window after another, and in less than ten minutes put me in possession of 3s. 9d. of good British money. I sent the mother home with this treasure, and directed her to send our oldest girl to me. It was by this time nearly dark. Everybody says, 'Things just need a beginning.' I had made a beginning, and a very good one too. I had a smart turn for strathspeys, and there appeared to be a fair run upon them. By this time I was nearly into the middle of the town. When I finally made my bow and retired to my lodging, it was with four shillings and some pence, in addition to what was sent before. My little girl got a beautiful shawl, and several articles of wearing apparel. Shall I not bless the good folk of Methven? Let me ever chance to meet a Methven weaver in distress, and I will share my last bannock with him. These men—for I knew them, as they knew me, by instinct—these men not only helped me themselves, but testified their gratitude to every one that did so. There was enough to encourage further perseverance; but I felt, after all, that I had begun too late in life ever to acquire that 'ease and grace' indispensable to him who would successfully 'carry the gaberlunzie on.' I must forego it, at least in a downright street capacity."

Robert Burns often alludes to the grim alternative of beggary as eligible for him in case of failure in everything else. William Thom experienced what Burns only fancied. Burns only expressed the feelings of his class. Ploughmen, labourers, journeymen mechanics, and all men in their circumstances, feel that

"Thin partitions do the realms divide"

which separate the men who cannot get work from the wretches who are compelled to ask for bread. "Gin a' trades fail me, Gweed be thankit I can beg," is a Scotch saying of people of this class, which, however dismal, is used to keep off the tyranny of the spectre of Starvation.

This seems an appropriate place to throw out a hint of institutions for the relief of homeless wanderers, and the improvement of their condition, which may perhaps be worthy of the consideration of persons better informed on the subject than we can profess to be. It has often occurred to us that great good would result to the poorest of the poor, and to society generally, from the establishment, on all the great roads, of lodgings somewhat resembling the caravansaries of the East. Every one who

has ever made it his painful duty to examine for himself any of the tramp-houses used by poor travellers in England and Scotland, knows it is impossible to exaggerate their abominations. Morally and physiologically, they are pest-houses. We have visited some of them at midnight, in spite of stench like to knock persons down who encountered it, and in defiance of the moral nuisance of encountering male and female characters of the worst description. The moral abominations of these places are inconceivable. In each small room there are generally four beds filled with four or five persons each of both sexes. In these tramp-houses poor but honest and industrious labourers and mechanics out of work are compelled to associate with thieves, prostitutes, beggars, and vagrants. The preservation of modesty is impossible in these places. They make modesty, if not chastity, an impossibility for poor women. When the poor are suffering the greatest privations to which their poverty exposes them, and are consequently most open to temptation to sacrifice their honest name, these tramp-houses bring them into contact with those who have already thrown aside every moral and religious restraint. Precisely when the moral strength of the poor man is beginning to fail him do these arsenals of contamination envelope him in an atmosphere of vice and crime. Just in the very hour when hunger and cold are tempting the poor woman to forfeit her honour for bread, she meets in these semi-brothels with persons who deride her scruples, and exult in the gains and the pleasures of prostitution. In these lodging-houses the thief meets the receiver of stolen goods, the pander finds her victims; and here, amidst gluttony, drunkenness, debauchery, starvation, and wretchedness, crimes are plotted against the persons and the property of the respectable members of society.

Now it surely is desirable and feasible to erect, on the great lines of road, lodging houses, in which there would be a separate apartment at least for every family. At present the tramp-houses are lucrative speculations. It would not be difficult to erect houses in which cleanliness, warmth, and decency might be provided for the poor, at a cheaper rate than in these dens of iniquity. Let the clergy of all denominations in the parish, a committee of the most respectable and benevolent laymen, and the superintendent or inspector of police for the district, have the management of these institutions. For the erection of the houses a few hundred pounds collected by voluntary contributions would suffice. When once in operation they could be made support themselves. Respectable poor persons, however deep their poverty, might be furnished with certificates of health, cleanliness, and good character, and treated with consideration and

kindness. Bad characters and filthy persons might be subjected to the ordeal of the bath and fumigation. The charge for the use of an apartment for a night need not exceed two or three pence. Persons who tried to evade the payment, or who were unable to pay it, might be furnished with work to do equal to the amount, which they would be compelled to accomplish prior to their departure. The system of certificates of health, character, and cleanliness could not fail to have the most beneficial influence on the poor. It would enable them, wherever they went, to derive the benefits they merit for their past good conduct. Immediately and systematically discriminated from the worthless and criminal characters with whom they are too often confounded, they would find themselves exempted from the suspicions attached to them as strangers, and facilitated in countless ways in their inquiries after employment. Such institutions would be powerful helps to discovering the migratory criminal population of the country. Whenever a man or woman has taken up a life of crime, a life of itinerancy always accompanies it. As poor travellers who had no reasons to fear the police would all be found in the caravansaries, and as none but houses duly licensed need be allowed to receive travellers, chances of detection will crowd around fugitive criminals when separated from those who had nothing in common with them except poverty. Our space at present allows us only to throw out these hints. Should the members of the government deem the subject worthy of inquiry, the poor law and constabulary commissions will furnish them abundant facilities of obtaining the needful information.

To return to Mr Thom, a man of genius, whose experience of Scotch tramp-houses has suggested this digression.

William Thom adopted the expedient, when "on the tramp," of getting some of his poems printed on fine paper, with a fly leaf, in the form of a note, and sending a copy by the servant to the lairds whose houses lay on his way, while he waited in the hall. Once in this way he received half a guinea. But it was beggars' work, his soul grew sick of it, and he took up his abode in Inverury, and settled down to his loom.

In Inverury the wandering family found comparative comfort. William Thom was employed as a customary weaver. A country weaver in want of a journeyman sends for him to assist in making bedding, shirting, and other household stuffs.

"When his customers are served I am discharged, and so ends the season. During that time I earn from ten to twelve shillings a week—pay the master generally four shillings for my 'keep,' and remit the rest to my family. In this way we moved on happy

enough. Ambition, or something like it, would now and then whisper me into discontent. I eke out the blank portions of the year by going into a factory; here the young and vigorous only can exceed six shillings weekly; this alone is my period of privation. However, it is wonderful how nicely we get on. A little job now and then in the musical way puts all to rights again. I don't drink, as little at any rate as possible. I have been vain enough to set some value on my mind, and it being all that I possess now, and the only thing likely to put me in possession of aught afterwards, I would not willingly *drown* it."

The woes of drunkenness is the subject of one of his poems. The spirit of his age and class made Robert Burns the poet of conviviality. A different spirit animating the present time, William Thom employs his genius in favour of temperance. John Barleycorn was death and degradation to Robert Burns. He sung—

"The cock may crow, the day may daw,
But aye we'll taste the barley bree"—

and by doing so kindled the fires of rheumatic fever, which brought agony and death on his prime of manhood. Let us hope that temperance will, in the case of William Thom, reward her poet with a happier fate.

THE DRUNKARD'S DREAM.

Who hath woe? who hath sorrows? They that tarry long at the wine."
Proverbs, xxiii. 29-31.

"O tempt me not to the drunkard's draught,
With its soul-consuming gleam!
O hide me from the woes that waft
Around the drunkard's dream!

When night in holy silence brings
The God-willed hour of sleep,
Then, then the red-eyed revel swings
Its bowl of poison deep.

When morning waves its golden hair,
And smiles o'er hill and lea,
One sick'ning ray is doomed to glare
On yon rude revelry.

The rocket's flary moment sped,
Sinks black'ning back to earth;
Yet darker—deeper sinks his head
Who shares in drunkard's mirth!

Know ye the sleep the drunkard knows?
That sleep, O who may tell!
Or who can speak the fiendful throes
Of his self-heated hell!

The soul all reft of heav'nly mark—
 Defaced God's image there—
 Rolls down and down yon abyss dark
 To thy howling honic, Despair!

Or bedded his head upon broken hearts,
 Where slimy reptiles creep;
 While the ball-less eye of Death still darts
 Black fire on the drunkard's sleep.

And lo! their coffin'd bosoms rife,
 That bled in his ruin wild!
 The cold, cold lips of his shrouded wife,
 Press lips of his shrouded child!

So fast—so deep the hold they keep;
 Hark his unhallow'd scream!
 Guard us, O God, from the drunkard's sleep—
 From the drunkard's demon-dream!"

The deep feelings embodied in this song ought to protect the poet from the poisoning friendship of those who for the sake of his colloquial powers, his anecdotes, his songs, and his flute, tempt him to join their carousals at inns and merry-makings. It is sport to them—death to him.

Soon after their arrival at Inverury, William Thom and his family were afflicted with much ill-health. His boy had to undergo a serious operation in the Aberdeen infirmary, from the effects of which he never can recover. His wife, to whom he was most tenderly attached, died in childbirth. This bereavement is the theme of most of his subsequent poems. William Thom does not derive his poetry from "the substanceless regions of fancy." Realities of the heart are his subjects. He has a well-merited contempt for the woful fancies of "the silk-banded sons of comfort—whose sorrows are stereotyped—who bleed ink—see mankind through the haze of theory, and would be frozen up by the sickening realities of the poor man's dwelling." His experience has taught him also that lyrical poetry is not fitted to express the highest states of the emotions. The full cisterns of sorrow have no echoes. When a feeling has passed its height, and the bitter paroxysms have long been over, a gentler state succeeds a period of subsidence, with which music and imagery are congenial. Neither the musical nor the beautiful, and seldom the sublime—in art, can be connected with the instants of the paroxysms of emotion and passion. Art is a stranger which must intermeddle but seldom with the deepest and darkest hours of sorrow, or the keenest ecstasies of joy. Although there are exceptions in dramatic poetry, the emotions only become con-

genial to art—they can be enwraught in music and imagery only when in the state in which the memory loves to retain them.

At the time of the death of Mrs Thom, her husband's employment as a weaver lay in a village nine miles distant. He used to walk once a fortnight to Inverury, for a glimpse of "yon ineffable couthiness that swims as it were about 'ane's ain fir-side,' and is nowhere else to be found." After returning from the kirkyard, on the occasion of the funeral of his wife, he locked up his house. A neighbour took charge of his youngest boy, who, however, somehow slipped off unnoticed, and was found fast asleep at the door of the house where his mother died. Next morning Mr Thom and his eldest boy, Willie, set out to resume his work. "A trifle of sad thinking," he says, "was in my head, and Benachie with its dowie mists right before me." His daughter, Betsy, in keeping a cottar's cow, "herdin," as it is called. She knew nothing of what had happened at home. Three weeks before, her mother had been to see her at the cottar's, and had promised to return with some wearables against the winter, which was setting in fast and bitterly.

"The day and very hour we approached her bleak watching place was their trysted time. She saw us as we stood hesitating on the knowe (a small eminence), and came running to us, calling—"Whaur is my mither?—Fou is na she here?"

In the following verses, which we print for the first time, are expressed, not the widowed father's actual advice to his boy how to deport himself towards his sister in breaking the news, but the poet's idealized recollection of it.

"The ae dark spot in this loveless world,
That spot maun ever be, Willie,
Whaur she sat an' dauted yer bonnie brown hair,
An' lythly looket to me, Willie;
An' oh! my heart owned a' the power
Of your mither's gifted e'e, Willie.

There's now nae blink at our slacken'd hearth,
Nor kindred breathing there, Willie;
But cauld and still our hame of Death,
Wi' its darkness evermair, Willie;
For she wha lived in our love, is cauld,
An' her grave the stranger's lair, Willie.

The sleepless night, the dowie dawn,
A' stormy tho' it be, Willie,
Ye'll buckle ye in yer weet wee plaid,
An' wander awa wi' me, Willie:

Yer lonesome sister little kens
Sic tidings we hae to gie, Willie.

The promised day, the trysted hour,
She'll strain her watchfu' e'e, Willie;
Seeking that mither's look of love,
She no'er again maun see, Willie;
Kiss aye the tear frae her whitening cheek,
An' speak awhile for me, Willie.

Look kindly, kindly when ye meet,
But speak na of the dead, Willie;
An' when yer heart would gar you greet,
Aye turn awa yer head, Willie;
That waesome look ye look to me
Would gar her young heart bleed, Willie.

Whan e'er she names a mither's name,
An' sairly presseth thee, Willie,
O tell her of a happy hame
Far, far o'er earth an' sea, Willie;
An' ane that waits to welcome them—
Her hameless bairnes an' me, Willie."

The 'Dreamings of the Bereaved' is a poem in the same vein.

DREAMINGS OF THE BEREAVED.

"The morning breaks bonnie o'er mountain an' stream,
An' troubles the hallowed breath o' my dream!
The good light of morning is sweet to the e'e,
But, ghost-gathering midnight, thou'rt dearer to me.
The dull common world then sinks from my sight,
An' fairer creations arise to the night,
When drowsy oppression has slecp-seal'd my e'e,
Then bright are the visions awaken'd to me!

O! come, spirit mother—discourse of the hours,
My young bosom beat all its beatings to yours,
When heart-woven wishes in soft counsel fell,
On ears—how unheedful prov'd sorrow might tell.
That deathless affection—nae trial could break,
When a' else forsook me ye wouldna forsake,
Then come, O! my mother, come often to me,
An' soon an' for ever I'll come unto thee.

An' thou, shrouded loveliness! soul-winning Jean,
How cold was thy hand on my bosom yestreen!
'Twas kind—for the love that your e'e kindled there,
Will burn—aye an' burn—'till that breast beat nae mair.

Our bairnies sleep round me, O ! bless ye their sleep,
Your ain dark-e'd Willie will wauken an' weep,
But blythe in his weepin' he'll tell me how you
His heaven-hamed mammie was 'dautin his brou.'*

Tho' dark be our dwelling—our happin tho' bare,
And nicht creep around us in cauldness and care,
Affections will warm ; and bright are the beams
That halo our hame in yon dear land of dreams.
Then weel may I welcome the night's deathly reign,
Wi' souls of the dearest I mingle me then,
The gowd light of morning is light-less to me,
But oh for the night wi' its ghost revelrie !"

One of the beautiful productions of our author is called 'The Mitherless Bairn.'

THE MITHERLESS BAIRN.

" When a' ither bairnies are hush'd to their hame,
By aunty, or cousin, or frecky grand-dame,
Wha stands last an' lanely, an' sairly forfairn ?
'Tis the puir dowie laddie—the mitherless bairn !

The mitherless bairnie creeps to his lane bed,
Nane covers his cauld back, or haps his bare head;
His wee hackit heelies are hard as the airn,
An' lithless the lair o' the mitherless bairn !

Aneath his cauld brow, siccan dreams hover there,
O' hands that wont kindly to kaim his dark hair !
But mornin' brings clutches, a' reckless an' stern,
That lo'e na the locks o' the mitherless bairn !

The sister wha sang o'er his saftly rock'd bed,
Now rests in the mools where their mammie is laid ;
While the father toils sair his wee bannock to earn ;
An' kens na the wrangs o' his mitherless bairn.

Her spirit that pass'd in yon hour of his birth,
Still watches his lone lorn wand'rings on earth,
Recording in heaven the blessings they earn,
Wha couthilie deal wi' the mitherless bairn !

Oh ! speak him na harshly—he trembles the while,
He bends to your bidding, and blesses your smile :—
In their dark hour o' anguish, the heartless shall learn,
• That God deals the blow for the mitherless bairn !"

The faults of the poems of Mr Thom are more obvious than

* Patting his forehead.

their beauties. All want finish. He does not, after striking a song off at a heat, subject it to a rigid criticism, and occupy himself with making the expression perfect. Forgetful that when improving the expression he is perfecting the thought, his poems are seldom correct in all respects, and almost never the best they could be made. Possessed of the essential merits of lyrical poetry, his songs contain lines which are full of gushes of genial and cordial feeling. For sweetness and tenderness he is a Scotch Thomas Moore. But they lack the aptness as well as harmoniousness of expression which is so important in the formation of the verses of poets "whose lines are mottoes of the heart." The great merit of his verses is—they are true. Scenes he has seen, feelings he has felt, circumstances in which he has been, are the subjects of his poetry. He does derive from Fancy beautiful falsities, which, like fairy fruits, are lovely to the eye and dust and ashes to the taste. His imagination and sympathies are exercised in enabling him to realize the verities of life, emotion, and experience. He does not idealize the real. His nature makes the real ideal to him. By seeing it as it is, a born poet beholds the world poetically. He has nothing to do but be as true as he can. Let him eschew poetical phraseology, and use the simplest and most colloquial words; and if there is music in his soul, his words will be harmonious; and if he has any meaning to express, it will of necessity be poetical. Truth is not logical—it is æsthetic. Definitions, however clear, are not truth, they are only expressions of aspects of it towards words given for business purposes. When you have said a truth is a proposition which you see is supported by sufficient evidence, you have not gone far in intimacy with it. Truth, viewed as you know it, is worthless compared with truth viewed as you work it and feel it. Poetry is emotional truth. Business is wrought truth. Truth practical and truth poetical are both superior to truth merely speculative or logical. Practical truth benefits and blesses mankind. It is civilization. Poetical truth refines and elevates the mind.

"Oh deem not, 'midst this worldly strife,
 An idle art the poet brings;
 Let high Philosophy control
 And sages calm the stream of life,
 'Tis he refines its fountain springs,
 The nobler passions of the soul."

Since the poems of Mr Thom began to attract some local notice, his circumstances have improved. He is now a customary weaver himself, with two looms of his own. A well-meant entertainment was given in his honour two years ago in Aberdeen. The lairds in his neighbourhood have sent him weaving to do for

them. We hope the rumour is not true which has reached us, not through Mr Thom but otherwise, that some of them have hinted that a small piece out of the web of fancy would be a welcome addition to the shirting stuffs involved in their ostensible contracts. It is said there are lairds about Inverury who have hinted that odes on their ancestors and sonnets on their parks would be acceptable, if sent for nothing ; and who, when disappointed of ballads, have left off sending webs.

We shall conclude our notice with a portion of a ballad on a beautiful incident in the history of the family of Mr Gordon of Knockespoek. Mr Thom, in cultivating the muse, need not overlook local subjects. When really and personally interesting, they are the best he can choose, because they are those he has most advantages in handling. He can write the words on the spot, which are worth cartloads of imaginings. He lives in a district full of poetical materials which have never been used up. Haunted battle-fields, fairy knolls, water-kelpie rivers, unroofed castles, surround him. Above all, the actual life and real thoughts and feelings of his neighbours have never received literary expression. But undoubtedly the most interesting literary work on which he could occupy himself would be a true and faithful account of what he has himself seen and suffered of real life. The thoughts and passions of the weaver's shop, the loves and trials of his hearth, the characters and histories of the "gungrel bodies" with whom he associated in tramp houses ; what life is to men who go through it as he has done, would be the most interesting thing he could tell. A true account of such an experience would show how the lives of poor men are often dignified by sufferings manfully borne, and ennobled by duties bravely done. Perchance such a narrative would show that poor men, quite as often as rich, enjoy the sweetness of doing right. It might be seen that poverty is more full than wealth of opportunities of quaffing the richest of all joys, that which springs from work well done.

About a century and a half since, a laird of Knockespoek, when quite old, took to wife, in a second marriage, the young and lovely Jean Leith of Harthill. The incident on which this ballad is founded gives a noble answer to the taunting question, "What can a young lassie do wi' an auld man?" When ill and dying, she nursed him day and night, and would divide her watch with no one.

•
" Ae wastefu' howl o'er carth an' sea,
Nae gleam o' heaven's light
Might mark the bounds o' Benachie
That black an' starless night.

Siclike the night, siclike the hour,
 Siclike the wae they ken,
 Wha watch till those lov'd eyes shall close
 That ne'er may ope again."

Worn out and exhausted, this night Mrs Gordon fell asleep. She was awoke by the smoke and flames of their burning mansion. The menials had fled. The doom of the dying laird and his lovely lady seemed fixed. In her heroic affection she took her husband up and carried him out of the burning house.

"Upon the wet an' windy sward
 She wadna lat him down,
 But wiled an' wiled the lithest bield
 Wi' breckans happet roun'.
 Knockespock's cauld, he's deadly cauld—
 Whaur has his lady gane?
 How has she left him in the loan
 A' tremblin' there alane?

An' has she gane for feckless goud,
 To tempt yon fearfu' low?
 Or is her fair mind, wreck'd an' wrang,
 Forgane its guidance now?
 She fearless speels the reekin' tow'r.
 Tho' red, red is the wa',
 An' braves the deaf'nin' din an' stour,
 Whare cracklin' rafters fa'.

It is na goud, nor gallant robes,
 Gars Jeanie Gordon rin;
 But she has wiled the safest plaids
 To wrap her leal lord in.
 For woman's heart is tenderness,
 Yet woman weel may dare
 The deftest deed, an' tremble nane,
 Gin true love be her care.

'The low has skaithed your locks, my Jean,
 An' scorch'd your bonnie brow;
 The graceless flame consumes our hame—
 What thinks my lady now?'
 'My locks will grow again, my love,
 My broken brow will men',
 Your kindly breast's the lealest hame
 That I can ever ken;

But, O, that waesome look o' thine,
 Knockespock, I wad gie
 The livin' heart frae out my breast
 For aught to pleasure thee!'"

* As the following article is one which may give rise to some difference of opinion, the Editor deems this a suitable opportunity of repeating a former announcement, that his own views and those of his contributors generally are not to be assumed as necessarily in accordance with the sentiments of every writer in the 'Westminster Review.' No paper is inserted which the Editor does not consider entitled to some attention, but the conclusions of the author must always be regarded as his own. The rule of affixing, in most cases, the initials of the writer, was adopted to imply that the author alone was responsible for any error of judgment which might hereafter be detected in the opinions he had expressed. In the present instance, as certain charges brought by Mr Poirson against Niebuhr have obtained some credence, the subject is fairly opened for discussion; but Niebuhr's fame has so many and such zealous defenders in this country, that it cannot suffer from any attack except in the degree in which the attack may turn out to be deserved.

ART. III.—1. *Niebuhr's History of Rome*. Vol. III. Translated by Dr W. Smith and Dr Leonhard Schmitz. London, 1842.

2. *Examen de divers point du Gouvernement et de l'Administration de la Republique Romaine et de l'ouvrage de M. Niebuhr*. Par M. Auguste Poirson. Paris, 1837.

AFTER a lapse of ten years the English reader is presented with the continuation of 'Niebuhr's Roman History,' as translated by Messrs Hare and Thirlwall. These distinguished scholars have been prevented completing what they so excellently began; but the reader has some compensation in the reflection that the third volume has fallen into worthy hands. Dr Schmitz being himself a German, and having by long and abundant practice in composition of English, attained a rare mastery over our difficult tongue, was alone a very competent person to undertake the task; he has, however, associated Dr W. Smith with his labours, so that what with the knowledge of the original language on the one hand, and of that of the translation on the other, the reader may feel secure of having a very accurate version. This, in so cumbrous a writer as Niebuhr, is no small recommendation.

The appearance of this volume affords us an opportunity of saying a few words on Niebuhr's qualities as an historian, and of placing before our readers the substance of one of the most terrible assaults which have yet been made upon his reputation. We allude to the pamphlet mentioned at the head of this article.

M. Poirson not only combats Niebuhr's views, but also believes that he has proved the historian guilty of several deliberate falsifications of the text of Livy, to support those views. So grave a charge merits the most serious examination. Niebuhr's moral reputation is no less splendid than his intellectual. Like his father, he is said never to have told a lie in his life : could he then write one ?

We abstain from any comment till the facts are placed before the reader. The importance of the question is sufficient to fix attention. It strikes at the root of a reputation which has scarcely an equal in modern times ; it throws a doubt upon the weightiest authority which Europe accepts ; and according to the judgment pronounced upon it, shall we be justified in bowing to the authority of a great writer, or rejecting the paradoxes of a dishonest one. For it is on the soundness and copiousness of his erudition, no less than his sagacity in detecting latent analogies, and appreciating the value of neglected facts, that Niebuhr's reputation rests. Convict Hume of a thousand blunders, even misquotations, and you do not destroy his merit. You impeach his accuracy or his honesty ; but you might as well hope to shake the reputation of Livy or of Thucydides, by detecting their inaccuracies. Hume's merits are searching penetration of motive, philosophical remark, and admirable narrative. It is manner more than matter that we prize in his book. With Niebuhr it is just the reverse : scarcely ever was such excellent matter presented in so inartistic a manner.

The truth is, Niebuhr is not a *Geschicht-schreiber*, but a *Geschicht-forscher*. His work is a series of dissertations, not a history. We know not what his 'Lectures' (which Dr Schmitz announces by way of a fourth volume) may contain ; we are quite willing to believe that they will exhibit the author in another and more favourable light : and that, as he there treads historic ground, we shall have fewer paradoxes, less dogmatism, and more interesting matter ; but till they appear we can speak only of what lies before us. The 'History of Rome' has merits of the highest order ; but those not the historical. It is a work which Europe has pronounced a master-piece of critical inquiry, and ingenious restoration of institutions. But it is not the story of Rome's rise and progress. This will seem an useless truism to many readers ; to others a critical impertinence. Let us therefore succinctly state the grounds of our opinion.

It is, perhaps, hardly fair to criticise his pretensions as an historian by the two first volumes. The whole subject was buried in obscurity, and he had to clear away much rubbish before light could penetrate. He was condemned to write disser-

tations, because he had no settled narrative to relate. Dr Arnold, coming after him and accepting his conclusions, could write historically at his ease; but Niebuhr had to cut the road through a quarry, not to ride gracefully over it, pointing out the adjacent beauties. It is in the third volume, therefore, that we must look for the historian; there his friends tell us we shall find him. Unfortunately we see as little evidence of historical genius in the third as in the other volumes. Take the first Punic war as the most favourable specimen, and see how far below the mark it is,—how indifferent the narrative, how wanting in imagination and picturesqueness, and how bad the style. The style of the whole work is bad: not simply unattractive, but so cumbrous as to be readable only for the matter it contains. It has neither the vigour, rapidity, nor beauty of a good narrative; nor has it the unpretending lucidity of a good disquisition. The sentences are long and ill-constructed; the facts are not well grouped; the meaning not felicitously presented.

But we believe this, though a serious drawback, to be less important than his greater deficiencies in art and historical philosophy. Few men ever approached the subject prepared with so much valuable knowledge, and few have shown such inability to use it as an artist. To a copious erudition, and a rich and varied knowledge of history in general, he joined a practical experience of political institutions, and a large acquaintance with men. Few writers have been so learned who have been so little of the mere bookworm. Yet he is singularly deficient in that quality which usually distinguishes the practical man, or the man of the world, viz., an ability of imparting what he knows. However great Niebuhr's knowledge of Roman life, he is unable to reproduce it under the form of art; nay, as far as internal evidence goes, one might almost suspect that he had never realized it for himself. All that relates to the political institutions has a great attraction for him; but we do not see that the social life ever absorbed his attention. No Roman lives in his pages. No Roman feeling is artistically reproduced. The ethnological peculiarities are left to be guessed. Neither the great characters nor the great mass are to be met with vividly delineated; only names, indications, and abstractions. We are almost ashamed of mentioning these deficiencies; but since it is upon such that we found our opinion of his want of historical genius, properly so called, we must enumerate them, though at the risk of unfavourable interpretations.* The claims of Niebuhr to every respect are undoubtedly great, but the claims of science are greater still.

Deficient as an artist, we believe Niebuhr to be equally deficient as an historical philosopher. This is no great charge

against him, individually, should it be admitted to the fullest; but it is a grave charge against his work. He only shared in the general deficiency of his age: a deficiency our age is not yet able to supply. But the excuse for the man is none for the work. This is not the place for a detailed examination of his philosophy, but we cannot resist quoting the following passage to show that he was not even on a level with his own age, much less in advance of it.

“Now, while in forming a just estimate of the Romans, we must not lose sight of those dark shades in their character, and must therefore limit our assent to their praises, we are also forced, though in a different sense from the Greeks, to ascribe a large share in producing their greatness to fate. Through the whole of their history we shall see how often all the virtues of the state and of the people would have been ineffectual unless destiny had saved Rome in her perils and paved the way for her triumphs. The nations and men before whom Rome might have fallen appeared too late. In the periods of her weakness she had only to fight with adversaries no way superior to her: and while Rome staked everything on the cast, and war was her natural state, other nations husbanded their efforts because they despaired of victory, or at the bottom of their hearts loved nothing but effeminate sloth, whatever their ill-judged enterprises might seem to imply. Philip’s inaction at the beginning of the war with Hannibal—that of Mithridates so long as the Marston war threatened Rome, and a slight additional weight would have turned the scale—these are events in which we cannot but recognise the finger of God. For that Rome was not naturally unconquerable was demonstrated by the resistance of a few warlike nations, who were only overpowered by superiority of numbers and force.”*

We take this to be about the worst general reflection ever made. We might pardon a rhetorician for escaping the real difficulty, and pompously explaining the enduring might of a nation, by attributing it to Destiny. We might pardon a theologian for setting aside the virtues of the state and people as ineffectual, and for only recognising the finger of God in very natural events. But what are we to think of the historian who thus philosophises? What are we to think of the “demonstration” of Rome “not being naturally unconquerable,” which rests upon the fact that a few warlike nations resisted her—and were overpowered? As if such a thing needed demonstration, or such a demonstration would suffice!

To return from this digression, in which we have indulged that we might not be accused of wantonly detracting from the

* Vol. i, p. 28. English Trans.

merits of a great man, and more precisely to fix the scope of the inquiry into which we are about to enter, the result we arrive at is that Niebuhr was a magnificent dissertator, not a great historian. The extent of his learning, and the honesty with which he employs it, are therefore questions of paramount importance, in estimating his value. No one doubts its extent; nor are we aware of any doubts as to the honesty of its employment, except those contained in M. Poirson's pamphlet. On the one subject of the mode of electing the Dictator that gentleman finds Niebuhr five times falsifying quotations. These we are now to consider.

But is it possible? is it likely? Such are the first thoughts of every one. Would so virtuous a man peril his fair name; and that too by an action which must sooner or later be detected? We know not. Misquotation is one of the literary and learned dishonesties. The temptation to secure a temporary victory, though certain that a worse defeat will follow, is too strong for some minds. The misquoter triumphs, and in the heat of triumph he is blind to consequences. Theology, politics, and criticism, have too often been dishonoured thus for us to doubt whether it be possible. Nor indeed has history been without this stain. The pride of paradox and vehemence of self-love have triumphed over honesty here, as elsewhere. Niebuhr's dogmatism was unbounded. His passions were enlisted as warmly on the question of the Agrarian laws, as any man's would be on that of Reform or Corn laws. But did his partisanship get the better of his conscience, did his zeal for truth exceed his practice of it? This is the point the reader is now called upon to consider, after a perusal of the case brought by M. Poirson, of whose researches we are here the interpreters.

Before entering upon the main subject of the dictatorship, it is necessary to mention Niebuhr's distinction between the *populus* and the *plebs*. Before he wrote, it was universally believed that *populus* was the general term *people*: including patricians, senators, and plebeians: in a word, the mass of the nation; and that it likewise bore the restricted concrete meaning of *the mob* as opposed to patricians and senators. The word *people* has precisely this double signification in English. In the former sense it means all who live in England, without distinction of caste; and in the latter, all those who do not belong to a definite caste, being then an elliptical expression for "the rest of the people."

Niebuhr contends, on the contrary, that *populus* anciently meant the patrician order, as opposed to the *plebs*. The "*concilium populi*" is therefore equivalent to an assembly of the

patricians and senators. The few passages which he adduces in support of his opinion are, we think, easily to be understood the other way, and whatever ambiguity there occurs is owing to the ambiguous sense of the word. The passage from Lælius Felix, quoted by Gellius, xv, 27, "Is qui non universum populum, sed aliquam partem adesse jubet, non comitia, sed concilium edicere debet," can hardly prove that the "concilium populi" means an assembly of the curies or patricians; since, as it has been observed, "universus populus" here means, according to Niebuhr himself, the whole nation, and if none but the whole nation could be called "comitia," there could have been no such thing as the "comitia curiata" at all, for they included only a part. It would appear therefore that Felix does not mean by "aliquam partem" one order to the exclusion of another, but simply a detached part of either order or parts of both, as distinguished from the whole nation.

M. Poirson asserts, that every authority on Roman history is against this notion of Niebuhr's. In collecting and comparing a crowd of passages in which Dionysius employs the word *δημος*, he has found, he says, some in which it signifies the mass of the nation opposed to the senate; a great number in which it is synonymous with *plebs*; but in no single instance meaning the body of patricians. Let us add, that the derivations from *δημος*, such as *δημοτικοί*, *δημοται*, *δημαρχία*, are always used by Dionysius in the sense of plebeian; and in one passage formally defines it thus: *πλεβειους, ὡςδ' αὖ Ἕλληνες εἰποῖεν δημοτικούς*: "plebeian, or as the Greeks would call them, *δημοτικοί*."* This question of signification is of importance, and much of Niebuhr's reasoning derives assistance from the view he takes of it. The student will therefore do well to be on his guard before admitting so novel and paradoxical an opinion. We come now to the dictatorship. The word *populus* is here also interpreted as signifying patricians; but we will quote Niebuhr's whole statement of his argument:

"Like ignorance as to the ancient state of things is involved in the notion of Dionysius, that, after the senate had nearly resolved that a dictator was to be appointed, and which consul was to name him, the consul exercised an uncontrolled discretion in the choice:

* A learned friend writes:

"In regard to the *populus* and *plebs*, Niebuhr is right, notwithstanding all that can be quoted from Dionysius, for neither Dionysius nor any other writer of that time had clear notions of what *populus* and *plebs* originally were. They judged of the early times by what they saw in their own, when everything had assumed a completely different aspect." Perhaps so; Dionysius may be a bad authority, but can Niebuhr produce a better? It is easy to say Dionysius had not clear notions of the ancient times, but who had? Who shall we be guided by? or shall guessing be our guide?

which opinion, being delivered with such positiveness, has become the prevalent one in treatises on Roman antiquities. Such might possibly be the case, if the dictator was restricted to the charge of presiding over the elections, for which purpose it mattered not who he was. In the second Punic war, in 542, the consul, M. Valerius Lævinus, asserted this as his right: and in the first the practice must already have been the same, for else P. Claudius Pulcher could not have insulted the republic by nominating M. Glycia. But never can the disposal of kingly power have been entrusted to the discretion of a single elector.

"The pontifical law books, clothing the principles of the constitution after their manner in a historical form, preserve the true account. For what other source can have supplied Dionysius with the resolution of the senate, as it professes to be, that a citizen, whom the senate should nominate, and the people approve of, should govern for six months? The people here is the *populus*. It was a revival of the ancient custom for the king to be elected by the patricians; and that such was the form is established by positive testimony.

"Still oftener, indeed, throughout the whole first Decad of Livy, do we read of a decree of the senate, whereby a dictator was appointed without any notice of the great council of the patricians. The old mode of electing the kings was restored in all its parts. The dictator, after his appointment, had to obtain the *imperium* from the curies; and thus, from possessing this right of conferring the *imperium*, the patricians might dispense with voting on the preliminary nomination of the senate. Appointing a dictator was an affair of urgency: some augury or other might interrupt the curies: it was sufficiently unfortunate that there were but too many chances of this at the time when he was to be proclaimed by the consul, and when the law on his *imperium* was to be past. And after the plebeians obtained a share in the consulate, as the senate was continually approximating to a fair mixture of the two estates, it was again for the freedom of the nation, provided the election could not be transferred to the centuries, to strengthen the senate's power of nominating. Under the old system, a plebeian could not possibly be dictator. Now as C. Marcus in 398 opened this office to his own order, whereas in 393 it is expressly stated that the appointment was approved by the patricians, it is almost certain that the change took place in this interval. Even in 444 the bestowal of the *imperium* was assuredly more than an empty form; but it became such by the Mænian law. Thenceforward it was only requisite that the consul should consent to proclaim the person named by the senate. Thus after that time, in the advanced state of popular freedom, the dictatorship could occur but seldom, except for trivial purposes; and if on such occasions the appointment was left to the consuls, they would naturally lay claim to it likewise in those solitary instances where the office still had real importance."*

This opinion is supported by various passages from Dionysius, Festus, Livy, and Pliny. We refer to M. Poirson's pamphlet for a minute examination of them; it need only be observed that Niebuhr, who elsewhere treats Dionysius and Festus with that dogmatic contempt which was his weakness, cites them here, when in his favour, as if they were the most precious authorities. It is in the same spirit, as a contemporary pointed out, that he reckoned Numa with the shadowy personages of the mythic times, and yet quoted and reasoned on the public acts of his reign.*

But Livy, so far from confirming Niebuhr's view of the dictatorship, expressly contradicts it. He is only made an authority by having his testimony garbled. To place the whole matter clearly before the reader, we may illustrate Livy's opinion by our national usages. The king invokes a general parliamentary election, but he does not himself elect the members; he orders it to be done, but cannot do it: this latter is the right of the people. The king, or his ministers, may, and frequently do, manage to get such members elected as will support their views: but influence is not law, ascendancy is not a right; the right belongs to the people, and they use it even to the annoyance of the king, as in the case of Wilkes, whom the king both dreaded and detested.

A somewhat similar right existed in Rome. Livy has a very decisive passage, which Niebuhr abstained from quoting; it is this:—

“Apud veterrimos auctores Titum Lartium dictatorem primum Spurium Cassium, magistrum equitum, creatos invenio. Consulares legere: ita lex jubebat de dictatore creando lata” (lib. ii, c. 18): “In the most ancient authors I find that Titus Lartius was the first dictator, and Spurius Cassius the first master of the horse, that were created. The consuls named them, as the law for the creation of the dictatorship ordained.”

It is necessary to distinguish with Livy the *creation* from the *nomination* of the dictator. There were two powers exercised in the *dictatore creando*; first, the Senate, invested with the power of decreeing that there was a present necessity for a dictator; second, the Consuls, i.e. those who had exercised the function of consul, either during the present or anterior years, and to whom exclusively belonged the right of naming the person to be elected dictator (*consulares legere*). The consuls were part of the senatorial body, and were in continual relations with

* This is the second time we have quoted the author of an article on Niebuhr, which appeared in one of the *Reviews*. We possess the article bound up with some others, but cannot discover where it originally appeared. This will explain the vagueness of our reference.

the senate for the government of the republic (*Polyb.* vi). On a great many occasions, therefore, there was agreement between them; the senate designated the persons whom they wished to have elected, and the consuls complied with their wishes. But the nomination of the dictator remained, nevertheless, the exclusive right of the consuls. This is very plainly stated by Dionysius:—"Οι ὑπατοὶ κοινῇ γνώμῃ δικτατῶρα Μανίον Ουαλερίον ἀπεδείξαν" (*lib.* vi): "The consuls unanimously named Manius Valerius dictator." It is impossible to read ἀπεδείξαν otherwise than as indicating the person.

Pliny is cited by Niebuhr to this effect:—

"The viator who carries the dictatorship to Cincinnatus says to him, 'Vela corpus ut proferam senatus populi que Romani mandata.'"

But to make this favourable to his view, Niebuhr must translate it thus:—"Cover your person, that I may announce to you the orders of the senate and of the people:" with the implication that these "orders" were for Cincinnatus to become dictator. But neither the translation nor the implication are correct. No act emanating from the senate and people was ever called *mandatum*. The invariable custom of all writers is to employ the words *senatus-consultus*, *plebiscitum*, *lex*. Moreover, both Pliny and Livy explain the nature of the orders announced to Cincinnatus: they were not that he should assume the office of dictator, but that he should hasten with all speed to Rome to collect the forces, and march to the deliverance of the army of Minucius, as a delay of a few hours might be fatal.

Livy is, however, more directly falsified. We will give the examples as selected by M. Poirson:—

Case I. Livy (*lib.* iv, c. 21) says,—“A Virgínio senatus in æde Quirini consulitur. Dictatorem dici Quintum Servilium placet. Virginius dum collegam consuleret moratus, permittente eo, nocte dictatorem dixit:” “The senate was collected in the Temple of Quirinus by Virginius; it was proposed to name Quintus Servilius dictator. Virginius begged for time to consult his colleague; and having obtained his consent, he named Servilius dictator during the night.” This is a strong passage. Affairs were serious; Rome was menaced; the senate assembled to concert with the consuls on the election of a dictator. They recommended Servilius, but the consul Virginius named him.

Nevertheless this strong passage is dexterously twisted by Niebuhr into a testimony in his favour. He transcribes the phrase “Dictatorem dici A. Servilium placet;” which seems to say that Servilius was elected by the senate, and omits the fol-

lowing sentence, which positively attributes the election to the consul.

Case II. By a similar artifice he cites this passage :—" Dictator ex senatu-consulto dictus Q. Servilius Priscus,"—as if it were the whole; yet if the reader turn to the original (Livy, lib. iv, c. 46), he will find it followed, a few lines lower, by this, which refutes Niebuhr :—" Quintus Servilius magistro equitum creato aquo ipse tribuno militum dictator erat dictus filio suo. . . . novo exercitu profectus est ad bellum." "Quintus Servilius having chosen his own son as master of the horse (the same by whom, in his capacity of Military Tribune, he had himself been named dictator) set forth with a new army for the wars."

This is sufficiently explicit. We know that the military tribunes had the same attributes as the consuls, and it was one of them who elected Servilius dictator. Niebuhr forbears to cite the passage.

Case III. Still more glaring is the omission in the passage cited from book vii, chap. 12, "Dictatorem dici C. Sulpicium placet." In Livy we find this sentence immediately following : "Consul ad id accitus C. Plautius dixit," i.e. "The consul C. Plautius, called to Rome for that purpose, named (*dixit*) Sulpicius dictator."*

Case IV. This is perhaps the worst of the whole. It is an omission of the two words which fix the sense. Livy says, "Dictator *ab consulibus* ex auctoritate senatus, dictus P. C. Rufinus" (lib. viii, c. 17). "The senate ordered a dictator to be named : Rufinus was named by the consuls." Niebuhr quotes the sentence thus : "Dictator ex auctoritate senatus dictus P. C. Rufinus," omitting the words *ab consulibus*. This is like converting a negative into an affirmative by striking out the *not*.

Case V. Is the omission of a name which in this place is of great importance. Livy (lib. ix, c. 28), designates the consuls Marcus Valerius and Publius Decius by their names. At chap. 29 he says, "Publius Decius qui graviter æger Romæ restiterat auctore senatu, dictatorem C. J. Bubulcum dixit :—" Publius Decius, who was retained at Rome by a severe illness, having the authority of the senate, named C. J. Bubulcus dictator." Of this Niebuhr only cites, "Auctore senatu, dictatorem C. J. Bubulcum dixit," again leading the reader to suppose that the senate named the dictator.

Such are the distinct cases of mutilation which M. Poirson has detected; if they admit but of one explanation Niebuhr's cha-

* At page 25, M. Poirson shows that *dixit* cannot be understood to mean "proclaimed," but absolutely "named."

racter is gone. But do they only admit of a painful explanation? Are there no circumstances which at least extenuate? To this question we address ourselves.

A suspicion will naturally enough creep into the reader's mind that the facts of the case are not even correct; a suspicion that if so great and good a man as Niebuhr is to be believed guilty of wilful falsification, not less so is the critic. There have been many instances of daring accusation which had no other foundation than their audacity, and which gained credit because the world could not suspect the truth of what was so confidently asserted. Lauder accused Milton of copying passages from the Latin poets of the middle ages, and with astonishing audacity forged the passages himself. Davis recklessly asserted that Gibbon had quoted passages which were not to be found, and books which had no existence. In the face of such experience shall we accept the accusations of M. Poirson? By no means. We advise the reader to put no faith in him; to put no faith in us; but to do as we did: to consult Drakenborch and Gronovius, and there satisfy himself that, with respect to the state of the text, what M. Poirson says is perfectly correct. Nay, in one case he may satisfy himself by only comparing two different notes in Niebuhr. At page 567, English translation, Livy is quoted as we mentioned under case iv, with the important words *ab consulibus* omitted. At page 570, the same passage is quoted, for another purpose, and there the words *ab consulibus* are retained.

We shall now turn counsel for the defendant, and accepting the facts of the plaintiff, endeavour to interpret them to Niebuhr's honour—or at any rate to shield him from dishonour. The jury will be good enough to bear in mind that Niebuhr throughout treats Livy, Dionysius, and others, as writers who were ignorant of many points of the history they narrated, and that, judging of ancient times by their own, they falsified the past. Their testimony is therefore to be received with caution. The modern historian will not accept it without severe scrutiny and comparison with other monuments. He will be forced to detect in their narratives those portions which are really trustworthy—those which were copied from the pontifical law books, from those which are the addition of the transcriber, and which may be called the interpretation of the facts. There is much of this in all history, and it is there the mass of error lies. Not in the facts, but in their explanation are historians mostly wrong. Let us take a familiar illustration. Brutus condemned his son to death; such is the bare fact. “Impelled by motives of the noblest patriotism, sense of justice, and stoical sacrifice of personal feeling to veneration of the law, Brutus condemned his son

to death;" such is the writer's interpretation, and it is profoundly false.* These erroneous portions of ancient writers Niebuhr endeavoured to separate from what is true. He therefore considered himself justified in accepting a portion of Livy's testimony, and in rejecting the rest. He would not have the historian deny a fact related by a chronicler, because around that fact there lay a mass of rubbish. Brutus did condemn his son, though from quite other motives than sentimental ones. Thus also some of the facts recorded by Livy are to be accepted, though others which he adds to them are false. What Livy learned in the pontifical law books was that the senate did, on those occasions quoted, elect the dictators; what he added to these testimonies was, that the consul named the person whom the senate had designated. This addition was thought necessary to make the matter clear; and being the practice in his time, seemed to him the necessary explanation of the ancient practice. Livy reasoned upon the past with the political principles of his day, as the modern historian reasoned on the action of Brutus with the sentiments and morals of a Christian, believing or implying that none other had ever prevailed in the world.

Strongly impressed with this source of error in Livy, Niebuhr boldly set aside such statements as he deemed erroneous, and as boldly claimed the authority for others which he deemed correct. The pontifical law books had evidently mentioned the election of dictator by the senate, since Livy had so written it down. This Niebuhr accepted as fact, and this only. He therefore considered himself justified in quoting half of a sentence and in rejecting the other half, if the one were true and the other false. The question is not here whether he was right in his views, but whether his employment of authorities was honest. With such principles of historic doubt as those above hinted, he can hardly be called to account for suppressing passages, or omitting words; the answer is, that he omitted them because he could not accept their validity. Moreover—and this is a point worthy of serious reflection—Niebuhr, supposing him foolish enough to attempt a deception by garbling so well-known and widely-studied a writer, could not have pretended that Livy held the same opinion as he on the very point he for the first time was to satisfactorily explain. He proposed an entirely new hypothesis; had Livy agreed with him it would have been nothing new. It cannot therefore be supposed that, in selecting certain phrases and suppressing the other portions of the sentence, Niebuhr wished to prove that Livy was an authority for the hypothesis, since it was notorious Livy held the contrary opinion; but he wished to prove that even in Livy, and consequently in the books from which he

copied, there were certain explicit statements of the fact of election by the senate; and this was all he wanted.

Such is the course of defence we have heard suggested by one of Niebuhr's admirers. We have endeavoured to give it all its force and plausibility; it shook our opinions for a time; it may shake the reader's. After long and close scrutiny we do not feel satisfied in pronouncing decisively on either side. Our reluctance to believe in such audacity and dishonesty, coupled with the silence of Niebuhr's German antagonists on the point, and with the arguments above suggested, lead us to refrain from accepting unconditionally the charge of falsification with intent to deceive. On the other hand, the more we look at Niebuhr's chapter, and the mode in which the authorities are adduced, the more strongly do we lean towards the unfavourable judgment.

Firstly. He in no place distinctly warns us that he is suppressing such portions as militate against his opinions; he does not say that Livy has preserved certain facts from the pontifical law books, which are to be relied on in spite of Livy's explanation of them. On the contrary, he quoted the passages as if they were entire. In one place he says, "still oftener, indeed throughout the whole first Decad of Livy, do we read of a decree of the senate whereby a dictator was appointed without any notice of the great council of the patricians," and he then adds six quotations in a note which are meant as confirmatory of this statement. He subsequently quotes four more passages, with the remark, "The following also applies to the election by the senate." All this is true, with reference to the passages as Niebuhr gives them; false, as they are in Livy.

Secondly. In the very note now under examination (1254), he follows up his mutilated quotations by this illustration: "The whole story, how Q. Fabius constrained himself to declare his mortal enemy dictator (ix, 38), implies that L. Papirius was already nominated, but could not enter upon his office unless the consul proclaimed him." Unfortunately Livy, so far from implying this, distinctly expresses the contrary. He shows us the senate and the deputies dreading lest the personal enmity of Fabius should prevent the election of Papirius, since this election depended upon him. He shows Fabius not reluctant to proclaim a man already elected, but to elect him. "*En vérité,*" adds M. Poirson, "*c'est trop compter sur la négligence des lecteurs à consulter les originaux, à vérifier les textes pour faire dire aux auteurs anciens l'opposé de ce qu'ils disent en effet.*"

Thirdly. Whatever opinion may be formed respecting Niebuhr's honesty in this matter, there can be but one respecting the licentious and ever-to-be-reprobated method of using

his authorities. Suppose Niebuhr sincere: believe him to have been 'actuated by the most conscientious motives: but do not cease to warn others of the unpardonable way in which he treated ancient writers. It is easy to call Dionysius ignorant of what he wrote about. It is easy to declare that Livy mixed up the practices of his day with those of the ancient times. This is very credible; it is, we should say, undeniable. But with this wholesome scepticism let us beware how we mingle our own dogmatism, or the error will be incalculable in result. Who is to separate the chaff from the wheat, in a case like the present? Livy is partly right and partly wrong; right in as far as he followed the old law books—wrong in all the rest. Suppose this granted, would not the question arise—but how much did he copy from the ancient writers? Who is to say this half of a sentence is valid, the rest worthless? No one can say this, unless he can bring forward some more ancient or more credible authority. Or if he does say it, he must do so as expressing his opinion of what probably was the case, not as an opinion supported by authority.

Fourthly. It is argued that he could not have pretended Livy was an authority for the hypothesis brought forward, since all the world knew he maintained the directly contrary opinion, but that nevertheless there were traces in his work of the true ancient custom: half sentences, brief but significant hints, which Niebuhr accepted as confirming his view. As an answer to this, we beg to tell once more a very old Joe Miller, trusting its age may be pardoned for its applicability. A man once declared himself an atheist, and boldly asserted that the Bible was his authority, for it expressly states "there is no God." His hearers were incredulous, and demanded a reference to the passage, which, on being consulted, was found to run thus: "The fool hath said in his heart, there is no God." The half sentence here suppressed was not a whit more important to the meaning than the "*ab consulibus*" and other omissions of Niebuhr. Everybody knew the Bible preached the reverse of atheism, whatever any particular passage might seem to imply. Everybody knew that Livy held a different opinion from Niebuhr, in spite of sentences or half sentences; but on consulting the originals it was found that in neither case could such passages as were pretended to be quoted be said to exist.

If then we acquit him of dishonesty, we must convict him of rashness; and we must warn the historical student against this method of using ancient writers. Had he boldly said that he believed the consuls never had the nomination of the dictator; that he had no positive, measurable testimony for this opinion,

but that it was the result of his long and profound study of Roman history ; then indeed we should have applauded him. He would have constituted himself as an authority ; and few would have rejected its weight. He would have said, " I think so ; " and the world would have bowed respectfully.

Dr Arnold has adopted Niebuhr's opinion, but refrained from citing any other authority. He says :

" If the consuls were superseded by the dictator because they could not be relied upon, we may be quite sure that the appointment was not left to their free choice.* One of the consuls received the name of the person to be declared dictator from the senate ; he then declared him dictator, and he was confirmed and received the imperium by a vote of the great council of the curiæ."—(Vol. i, p. 145.)

Our painful task is ended. We have endeavoured to perform it with as much respect for the illustrious name of Niebuhr as was consistent with a just respect for truth. If offence has been given, we shall be sorry ; and can only say, it was not meant. We fear the many warm admirers of the man and historian will condemn the temerity with which we have spoken ; but let them remember that the question was one of strange importance : not the mere question of whether Niebuhr's opinion on the dictatorship was true or false ; but the far wider question of whether he was trustworthy, whether the hundreds who are to study his great work could rely upon his statements and credit his citations. And to this question we, considering the facts here before us, and in acquitting him of dishonesty, yet convicting him of a most licentious method—we answer, No !

G. H. L.

ART. IV.—*Memoir of the Life of the Right Hon. Charles Lord Sydenham, G.C.B. ; with a Narrative of his Administration in Canada.* Edited by his Brother, G. Poulett Scrope, Esq., M.P. London : Murray. 1843.

THIS work is divided into two parts ; the first contains particulars of the late Lord Sydenham's life to the time of his accepting the office of Governor-General of the British North American Provinces, written by his brother ; and the second portion contains a narrative of his administration in Canada, written by Mr Murdoch, who held the office of Civil Secretary of the Pro-

* See on this point Niebuhr, vol. i. (Arnold's note.)

vince during that administration. On the first portion it is not necessary to dwell. It is written with the very excusable partiality of a brother, and relates little more than the chief events which occurred during the administration of Lords Grey and Melbourne. To criticise this portion of the work would involve us in a task which we have no desire to undertake, namely, a review of the conduct of the Whig Administration. Its failings at home have been sufficiently condemned. To the other portion of the work, relating to Canada, we intend chiefly to confine ourselves. It is necessary that the character of the Whig Administration of that country should be known; and this not merely to protect those who suffered under it from unjust reproach, but to explain why dissatisfaction has been prevalent there, and why we have been compelled to sustain the enormous cost of upholding our authority by mere military institutions.

The late Lord Sydenham was first elected a member of the House of Commons in 1826, for the port of Dover. His expenses amounted to at least 3,000*l.*, and in a few days after his election his seat was threatened by a petition. It was evident from the amount of his expenses that the election should have been set aside; but in those days the payment of out-voters, and the most illegal acts to secure a return, were regarded as perfectly justifiable. When the Whigs again resorted to these practices, after the passing of the Reform Bill, they did so from an entire ignorance of the fact that the abhorrence which such proceedings had occasioned mainly contributed to the passing of that measure. Nor are we among those who think that this feeling has lessened. We believe that the late changes in the law have been sanctioned by the electoral body, and that in the most corrupt boroughs the electors are not unwilling that the law should step in and take away the temptation to be corrupted, without feeling offence at the parties through whose agency it is done. But after these enormous expenses had been incurred, at a time when his losses by mining speculations had been considerable, and a threat of dissolution of partnership in the mercantile business in which he was concerned was held over him, it is not surprising that in February, 1828, Mr Thomson should write, that "those about the King allow that he is not immortal,—God save him! for a general election would be a very ugly thing." In 1830 the King died, and another contest for Dover took place, "the expenses of which were so dispiriting as to have led him to think seriously of retiring from Parliament." But the repayment soon occurred. The Duke of Wellington was defeated on Sir H. Parnell's motion for inquiry into the Civil List, and in the new

administration, under Lord Grey, Mr Thomson accepted the office of Vice-President of the Board of Trade, with the Treasurership of the Navy. After the passing of the Reform Bill he was again elected for Dover, but in the enthusiasm of the time he was also elected for the new borough of Manchester, and made his choice for the latter place. The conduct of the new electors at Manchester was very honourable. They elected Mr Thomson in his absence, without his having issued any address or sanctioned his nomination. When it is added, "without having solicited a vote," the compliment justly paid to the electors is injured. There are several boroughs where the personal solicitation of votes has been forbidden by the electors as a degrading and offensive proceeding.

On the dissolution of Parliament by Sir R. Peel in 1834, Mr Thomson was again elected for Manchester. Credit is taken for his having, when the new Parliament met, overcome the repugnance of Mr Abercromby to be elected Speaker; but as we have heard other persons lately in the Government claim the same credit, there were probably several who undertook the painful task of missionaries upon the occasion, and who consider the conversion of an unbeliever—a most prudent Scotchman—in the sufficiency of the parliamentary majority to have been owing to their prayers. Upon the defeat of Sir R. Peel, Mr Thomson became President of the Board of Trade, with a seat in the Cabinet, and was again re-elected for Manchester.

While Mr Thomson sat in Parliament he was chiefly and usefully employed in pursuing the commercial policy which Mr Huskisson had commenced, and which has been still further pursued by Sir R. Peel. He was not a bold opponent of the protective system, and he merely abolished restrictions when there was no great interest sufficient to give any alarm. Upon the Corn-law question he was the advocate of a fixed duty, and if the expression of his biographer, that he would have effected a treaty of commerce with the States of the Zollverein, if there had been any possibility of carrying a modification of those laws, "such as a fixed duty of 8s., or even 10s.," represents the extent of his views upon this question, we cannot praise the change he advocated. In the house he had little weight as a speaker, and he himself, in arguing the relative advantage of accepting the office of Chancellor of the Exchequer or that of Governor-General of Canada, complains that "the interruption and noise of the house cowed him," though he gives a sufficient reason for its impatience in the next sentence,—that "he had certainly made no good speech for two years." However, in his office he effected many improvements.

Mr Thomson was appointed Governor-General of Canada on the 27th of August, 1839, and arrived at the seat of government on October 19, 1839. He spent but a few days "in the ancient castle of St Louis," at Quebec. The building he there occupied was erected for the meetings of the Legislature of Lower Canada. It was taken possession of for the residence of the Governor soon after the first rebellion, in consequence of the old chateau having been accidentally burnt. Its use for this purpose, without any explanation at the time, served to add to the exasperation against the Government, and was regarded as an indication of an intention to destroy the representative branch of the Legislature.

In order to understand distinctly the character of the measures of Lord Sydenham's Administration, Mr Murdoch has commenced his narrative with a brief outline of the history of the country. We differ from it in many very material particulars, some of which we shall point out.

By the Treaty of Paris, signed the 10th of February, 1763, the Canadas, which were occupied by a British army at that time, were ceded by France to the British Government, it being agreed that effectual orders should be given to protect the inhabitants in the exercise of their religion according to the rites of the Roman Catholic church. By a proclamation, dated the 7th of October of the same year, the boundaries of the province of Quebec were declared, the establishment of a general assembly was promised, and it was announced that power had been given, under the great seal, to institute courts of judicature for the determination of causes, both civil and criminal, agreeably to the laws of England. This last measure was both harsh and unnecessary. It caused a violent change in the laws and title of property throughout the province. Mr Murdoch states that it was not complained of, and that, under it, considerable progress was made towards the introduction of British customs and feelings. So far from this being the fact, it produced most mischievous consequences, and a statement of the complaints of the people was transmitted to the Crown.* Attention was paid to it, and the Quebec Act was passed in 1774, which declares that the provisions of the proclamation mentioned, so far as regards the civil government, had been found upon experience to be inapplicable to the state and circumstances of the province. The English criminal law, however, was preserved, with the entire approbation of the Canadians. But in order to give "more perfect security and ease of mind to the inhabitants," the exercise of their religion was to be protected, the clergy were permitted to receive their accustomed dues and

* *Political History of Canada*, p. 6. London, 1830.

rights from persons professing the Roman Catholic religion, and the ancient laws of the province relative to property and civil rights were restored. These concessions were not made without the Government being perfectly convinced of their necessity. They restored peace where there had been universal discontent, and the recitals of the act contain evidence to contradict the fact, "that if it had not been passed the feelings of the people would have been *anglicised* without any severe shock." But the Government had a further reason to pass this act. If it had been withheld, Canada would have fallen into the Union of the States, and we should have lost it, together with our other North American provinces. The choice lay between the re-establishment of institutions to which the population was attached and an English connexion; or English laws and an union with the new republic of America. Fortunately for this country, the choice was made on the side of justice and humanity. The good results were shown in the continued attachment of the Canadian population to the English Government throughout its contest with the States. Proclamations were issued, inviting them to join the Union;* they were called on to elect delegates to represent the province in the continental congress of 1775; they were told "that the legislative, executive, and judicial powers of the province were moved by the nod of a minister, and that their privileges and immunities would last no longer than his smiles." In the articles of confederation, also, of 1776, it was declared that in case Canada should be willing to accede to the confederation, it should be admitted into the Union, but that no other colony should be admitted without the consent of nine of the States.† But these tempting offers were of no avail. The faith and honour of the English Government had been pledged to support institutions which were popular among the people, and the result is admitted by Mr Murdoch to have been, that during the revolutionary struggle the French Canadians displayed an unflinching attachment to the British Crown. What, then, becomes of the flippant lamentation over a policy which secured to us their loyalty, obedience, and support during the darkest period of our history? What is Mr Murdoch's authority for his statement that a law which interfered with mortgages, which shook the title of all property and caused universal alarm, would have *anglicised* the people without any severe shock? To what book, to what paper, to what document can he refer? He cites none. The statement is a pure fiction, contradicted by the actual events of the

* 'Annual Register,' p. 218. 1774. Address of Count d'Estaing, Oct. 28, 1778.

† 'Annual Register,' p. 111.

country, and sustains the charge so frequently made in Canada of the ignorance prevalent in the Colonial office respecting the affairs of the province.

The Act of 1774 simply established a legislative council, the members of which were nominated by the Crown. It was not, however, possible that this system could long continue, though a change was not demanded by the French Canadians. By the Act of 1791 (31 George III, c. 31), the province was divided, by the names of Upper and Lower Canada. There were established in each division a legislative council and a house of assembly. The act also provided for the formation of an aristocratic body, upon a plan proposed by Lord Grenville, but which was never acted upon. This establishment of a representative system was a wise step. If pursued in its spirit and objects, it was certain to remove any indefinite expectation of advantages from an union with the States; and it was a humane measure, as it could not fail to educate the people to protect themselves through it, if adverse events should have compelled them to accede to such a union. Under this constitution the provinces were governed until 1837. At first, the great body of the inhabitants appeared to take little interest in the course of events. Yet this very indifference in the early history of their representative government is a proof that it was conferred at the proper moment. Their political teaching was commenced during a period of perfect peace, and while there was nothing to inflame or to excite their passions. But it never could have been supposed that contests, and the free discussion of opinions would not, at last, bring them to take great interest in the proceedings of their legislature, and for their leading men to aspire to a share in the government of the province. If at first no pretensions of this kind were asserted, the Government could not have failed to know that the occasion would arise when they would be put forward. A representative government implies governing according to the wishes and the interests of the representative body. Any attempt to the contrary can only produce discontent, suspend all legislation, and ultimately provoke rebellion.

The first contest was with Sir James Craig, who was appointed Governor in 1807. He put certain members of the Assembly into prison, and after confining them for some time, gave orders for their release without offering any justification for his violence. This was the commencement of a bitter war between the officials and the people. It was provoked without the slightest justification. The Assembly, however, proved itself to be acquainted with its power, and it became necessary to recal the Governor.

Mr Dunn administered the province for a few months in 1811,

and in September Sir George Prevost became the governor-general. It was fortunate that the Government made so wise a choice at this time. He treated the Canadians with confidence, and he treated with respect the persons whom Sir James Craig had imprisoned, one of whom became a judge. Again the happy effects of a just policy were exhibited. "When the American war broke out, no hesitation tarnished the courage of the inhabitants, or threw a suspicion over their loyalty. With a self-devotion which has never been surpassed, whether of French or English origin, they flew to arms in the defence of their country and institutions. The struggle was short, but in the course of it none displayed a more determined bravery or devotion, joined to a natural aptitude for military service, than the French Canadians." In the House of Assembly also the Government received general support, all the supplies asked for on account of the extraordinary difficulties of the Government were cheerfully granted, though resisted by a gentleman of British origin, upon whom the only hereditary honours bestowed upon a Canadian have since been conferred.

We wish that we had space to follow minutely the representations of Mr Murdoch in the whole of his outline. We should wish to have tested the truth of his statement, that professional prospects and commercial speculations were circumscribed by French laws and regulations. If these laws did circumscribe the operations of trade, we presume they have been changed, for when in Canada, we heard of no proposals from the Board of Trade, ever vigilant over commercial interests, to change them at this time. The changes that have been made were effected with the consent of the French Canadians, who must have felt an equal interest with the British in trading under good laws and efficient regulations. We doubt, also, if any peculiarity in the law of Canada, affecting trade, distinguishing it from the English law, can be cited, which does not exist in Scotland, or with the approval of American merchants, in the State of Louisiana.

The contest which arose after the war, between the House of Assembly and the Colonial office, was occasioned by the Government and its officers setting the former at defiance, encouraging opposition to its authority, sanctioning every expression of contempt for it, and acting in contempt of continued parliamentary resolutions. If the Assembly in this contest lost a portion of its efficiency in legislation, it was caused by the Government separating itself entirely from it, in neglecting to render it any aid when its course was unobjectionable, and in always taking part with the minority.

It is needless to particularise the various subjects of contention between the House of Assembly and the Government. It terminated in the refusal of the former to grant supplies, in the demand for an elective legislative council, in the distinct refusal to vote a permanent civil list, in insisting upon the repeal of the Canada Tenures Act (6 Geo. IV), passed by the Imperial Parliament, and in demanding the correction of abuses in different departments of the Colonial Government. To those who made these demands, "a check is said to have been administered" by Lord John Russell's celebrated Resolutions of 1837. The three first of these resolutions relate to the refusal of the supplies by the Assembly; the fourth declared that, in the "existing" state of Lower Canada, an elective council was unadvisable; the fifth, that the composition of the executive council ought to be improved, but not made responsible as required; the sixth, that a certain land company should be undisturbed; the seventh, that when feudal dues and services in Canada were abolished, the Canada Tenures Act should be repealed; the eighth, was to appropriate the monies of the province by the vote of the House of Commons; and the ninth, insisted on a permanent civil list. These resolutions were equivalent to the suspension of the powers of the Assembly. They were certain to excite discontent, and to cause the utterance of violent expressions, yet not a single step was taken to guard against any disturbance. Public meetings took place, and some volunteers were sent to arrest two persons concerned in them, who being taken and carried through the country, subject to much personal indignity, were rescued. "The French population of a large portion of the Montreal district rose *en masse*, and the rebellion began."*—"A miserable outbreak it was," says Lord Sydenham, "put down with the utmost ease by a single regiment."† It did not extend to the north-east, or far east of the Richlieu river. There was no organization, no preparation, and no collection of arms or powder. The disturbance was perfectly unexpected by the leading French Canadians, but its extent was magnified by every possible means. It was an advantage given to the Government, of which it immediately availed itself. The Constitutional Act of 1791 was repealed, and a military and despotic government established.‡ Shortly afterwards Lord Durham went out as governor-

* Life, p. 125.

† Life, p. 181.

‡ The suspension of a constitution by the British Government was no new event in America. It had been frequently done, with merely the effect of making the people more anxious for independence, from their experience of the precarious position of their constitutional rights. We cannot forbear extracting the following passage from Mr Bancroft's History of the United States (vol. iii, p. 69) upon this subject:—"Connecticut and

general. His report showed the necessity of re-establishing a representative government in Canada, that the leaders in the Provincial Parliament should be connected with the Government, and that the responsibility of the Provincial Administration to the Assembly should be recognised. It was impossible to evade the adoption of these suggestions.

Part of Lord Durham's plan, which the Government also determined to adopt, was the union of the two provinces. Most of the reasons in favour of it we think to be very fallacious, but the report contained expressions relating to the hostility between the two races, which were certainly calculated to frighten a ministry ready to receive any measure which should relieve it from its embarrassments.* Yet it is remarkable that the passages of that report, speaking of the "irreconcilable" differences between the Canadians of British and French origin, were admitted by Mr Buller, in the last session of Parliament, to be incorrect, though they are the only portion of the report cited with approbation by Mr Murdoch. Nor is it possible for any person to have observed the objects contended for by the popular parties in Upper and in Lower Canada, without perceiving that in both provinces they were the same, though, unfortunately for Lower Canada, the popular party was called "French," while in Upper Canada the name of "Reformers" distinguished it. Yet in the institutions and laws of Lower Canada are preserved the last relics of monarchical institutions in America. Gently amended, their peculiarity would

Rhode Island were named in the bill which was introduced into Parliament for the abrogation of all American charters. The journals of the House of Lords relate that Connecticut was publicly heard against the bill, contending that its liberties were held by contract, in return for services which had been performed; that the taking away of so many charters would destroy all confidence in Royal promises, and would afford a precedent dangerous to all the chartered corporations of England. Yet the bill was read a second time, and its principle, as applied to the Colonies, *was advocated by the mercantile interest and 'by great men' in England.* The impending war with France postponed the purpose until the accession of the House of Hanover." The constitutions of Canada, Jamaica, and of Newfoundland, are those which Parliament—the Reformed Parliament—has attacked in our time.

* "In Lower Canada, the most exceptionable resolutions of the House of Assembly were by no means wholly unsupported by those of British origin; and in the Assembly of eighty members they were seldom encountered by an opposition ranging higher than from three to ten." ('Remarks on the Canada Bill,' by Mr Robinson, the Chief Justice of Upper Canada, p. 124. 1840.) What resolutions would be passed in the House of Commons in England, if Sir R. Peel insisted upon carrying on the Government supported only by three to ten members, looking to the army and the Statute of Treasons for his defence? Would they be explained by saying that they were caused by a contest of races,—of English, Scotch, Irish, Normans, or Milesians?

have kept the population attached to us for an indefinite length of time. But by uniting the Canadians of the Lower Province with those of the Upper, they will be driven into a democracy, which, notwithstanding the assertions to the contrary, is now the prevalent political principle of Upper Canada.

The British Government having determined upon the union of the two provinces, Lord Sydenham was despatched to arrange the measures necessary to bring it into effect. The chief part of his mission was to prepare the way for the restoration of a representative government to the people of Lower Canada. He knew from the first that, in the future legislature of the province, the leaders of the majority of the Assembly were to be connected with the Government—that the Government was, in fact, to be carried on by the assistance, and not as before, in opposition to a parliamentary majority. His first object therefore ought to have been, to have exhibited towards the Canadians a sense of justice and a respect for their feelings.

Lord Sydenham arrived at Montreal on October 22, and assembled his special council on November 11. He immediately extended the ordinance for the suspension of the Habeas Corpus Act, to the 1st of June, 1840. The facts connected with this proceeding are of a character not to be defended. In 1838 the second rebellion took place. It happened soon after Lord Durham had left the province. It was a frontier invasion, badly organized, badly conducted, and immediately checked. It had not been designed by parties in Canada, and before its failure was heard of, it had been condemned by the chief leaders of the Canadian party. However, immediately that it took place, warrants were issued for the seizure of the leading lawyers, doctors, and notaries in the country. The following is a copy of one of these warrants :

“To the Honourable De St Ours, Esq., Sheriff.

“Sir,—You are hereby requested and ordered to receive in the common gaol of Montreal the following prisoners:—Louis Hypolite Lafontaine, Denis Benjamin Viger, Charles Rondelet, Louis Michael Viger, Jean Joseph Girouard, John Donegany, Francis W. Desrivieres, Esquires (and twelve other names), until further order.

“H. EDMOND BARRON, J.P.

“Montreal, November 4, 1838.”

This simple request and order was all the information these gentlemen could ever obtain respecting the cause of their imprisonment. The first on the list is now her Majesty's Attorney-General for Lower Canada, and Mr Girouard is the person to whom Sir C. Bagot offered a place in his executive council, and

the office of Commissioner of Crown Lands.* The Honourable Mr D. B. Viger, the second on the list, is one of the most distinguished men in Canada. He was twice deputed as the agent of the House of Assembly to represent their grievances in England, and he was for many years a member of the Legislative Council. He is a very sound lawyer, a good scholar, and eminent for his very extensive learning. He was the last man whom a high-minded person would have injured. His position among his countrymen, his great gentleness of character, his very courteous demeanour, the extent of his charities and donations for public objects,—ought all to have pleaded to save him from ill treatment. But not so. He asked to be informed of the causes of his committal. This was refused, until, in January, 1839, certain commissioners, Messrs Buchanan, Weekes, Bleakly, and Fisher, were appointed to inquire into his case. On the 2nd of February, 1839, they reported—

“ Although we are *not* prepared to say that Mr Viger should be put upon his trial, we conceive that her Majesty’s Government have a right to require bail for his good behaviour, for the following reasons. First. His high standing and consideration in the estimation of his fellow countrymen, as well from his great wealth, as from a long career of forensic life. Secondly. Because having such influence, he exercised it by means of seditious presses, supported, if not wholly established, by his pecuniary sacrifices. Thirdly. Because, conducting himself with apparent premeditation in this manner, he was, during the late troubles and previous thereto, a person dangerous more by example than by action.”

Such are the extravagant reasons given for the detention in prison of this distinguished man ! He was arrested under the pretence of being concerned in the second rebellion. The report declares that a prosecution of him could not be recommended, and he was continued in confinement for nearly nineteen

* “ He was representative of the County of the Two Mountains, in the late House of Assembly of Lower Canada, and took an active part in supporting its measures. He was a member of the committee of the county at the outbreak in 1837, and was included among those against whom warrants were issued. He was the leader of the minority of the committee, and opposed every proposal to proceed to active violence, and left them upon the advance of troops to St Eustace. He promoted the submission of the people at St Benoit, to Sir J. Colborne, but saw his house and property destroyed. He took refuge on the other side of the Ottawa, back of the Coteau du Lac, but preferred voluntarily giving himself up than be burthensome to a generous stranger, who afforded to him asylum and protection, to the privation and danger of a numerous and nearly destitute family.”—*‘Quebec Gazette.’* The text refers to his second arrest. The sum of 500*l.*, the reward offered for his arrest, was paid to the magistrate to whom, upon the first occasion, he voluntarily surrendered himself.

months, on the charge that he subscribed to or "supported" seditious newspapers, the publishers and editors of which were never prosecuted for sedition! No press is named which he is said to have supported, and no seditious passage or expression in any paper is cited, which it is pretended he approved of. Yet he was required as a criminal to give bail for his future good behaviour. When Mr Thomson suspended the Habeas Corpus Act, Mr Viger was the only person in prison whom it reached. He knew this, but thought that he could compel Mr Viger to fall before him. But the courage of the old man could not be shaken. He had spent one Canadian winter in prison, and he calmly resigned himself to the possible consequence of his continued confinement. At last, on the 28th of May, 1840, Mr Thomson wrote, that "it was quite useless with a view to public tranquillity to continue Mr Viger in prison, and that he had ordered him to be released immediately." The truth was, that the further suspension of the Habeas Corpus Act was impracticable, and in four days more Mr Thomson would have had no power to detain him. The whole transaction was an act of cruelty and tyranny—a playing with the life of his victim—for which there can be no excuse. This was the earliest sign of the course which Mr Thomson intended to pursue. It was evident that at this moment he expected that the French representatives of Lower Canada would not be needed in the conduct of the Government. In this manner did he administer justice, and his arbitrary conduct was approved of by Lord J. Russell.*

After suspending the Habeas Corpus Act in Lower Canada, Lord Sydenham proceeded to Upper Canada, to ask the sanction of the Legislature of that province to the Union. Several rewards were offered for its assent. One despatch promises an annual grant for fortifications—fortifications which we heard a member of the Administration of Canada, in his place in Parliament, declare "were not wanted,"—a grant of money was promised on the guarantee of the British Government, for public works—and the debt of Upper Canada was so far interfered with that Lower Canada, which had not contracted any debt, was to become jointly liable for its payment—"plundered" is the word sometimes used in Upper Canada to describe the transaction. This was not sufficient without threatening the office-holders, who were a majority of the Assembly. It was not difficult to frighten them. They knew that they would not be re-elected

* Since the above was written we have been informed that Mr Viger, now M.P. for the county of Richlieu, has been nominated a member of the Legislative Council. It is an act of justice which reflects infinite honour upon Lord Stanley.

under any circumstances. They had been chosen under the auspices of Sir F. Head, and ought to have gone to a new election upon the accession of the Queen, but with the sanction of Lord J. Russell, an act was passed continuing their term of service as though that event had not occurred. They, therefore, assented to the Union, making, however, conditions said to have been suggested by some merchants of Montreal, which could not be complied with, and which the Reformers of Upper Canada certainly would not have asked.

At the close of the session of Parliament of Upper Canada, the office of Solicitor-General of Upper Canada was accepted by Mr Baldwin, "a man of excellent private character and of unimpeachable integrity."* And on the return of Mr Thomson to Montreal,† perhaps influenced by the representations of Mr Baldwin, he thought it advisable to offer the Solicitor-Generalship of Lower Canada to Mr Lafontaine. Mr Murdoch expresses surprise that the circumstances of the interview, at which the offer was made, should have been published, and considers that it evinced a desire to admit the French Canadians to a fair share of political power. We, upon the contrary, are surprised that it could have been considered consistent with the honour of Mr Lafontaine to have accepted the offer. With whom was he to act? With Mr Ogden, the Attorney-General, who, without cause, had imprisoned him—who had imprisoned Mr Viger, and the learned and estimable advocate Mr Chériar, and other eminent and guiltless men,—who had for years set the Assembly at defiance, and whose rigorous proceedings had made him odious to those with whom Mr Lafontaine acted? The offer was as absurd as it would have been to have asked Sir Samuel Romilly to have been Solicitor-General with Sir John Scott as Attorney-General. It was more like a suggestion to sell his friends than to ask for their co-operation.‡ Yet we do not understand the object of Mr Murdoch in endeavouring to injure the character of Mr Lafontaine. Lord Sydenham, in the discharge of a public duty for which he was responsible, made to Mr Lafontaine an offer of an important public office. It was a proceeding which imposed no secrecy, and in respect of which no secrecy ought to have been expected. It was an act in the administration of the province of a public nature, not merely justifiable in Mr Lafontaine to publish to the

* Life, p. 173.

† Life, p. 179.

‡ It should be known that at this time Lord Sydenham himself had ceased to treat Mr Ogden as his responsible adviser. A new place of "Legal Adviser of the Governor-General" was created, and a gentleman was sent out from England to fill it. The appointment proves that he ought to have been dismissed, and that he is not entitled to a pension.

world, but of which it was his duty to inform his countrymen. Lord Sydenham himself should have avowed it, if he intended to claim that credit in the transaction to which he is now said to be entitled.

Upon the 11th of February the Union Act (3 and 4 Vic., c.35) was proclaimed. It was originally introduced into Parliament with certain clauses for the establishment of Municipal Councils, but to the surprise of Lord Sydenham, they were omitted by Lord John Russell, at the instigation chiefly of a Canadian merchant, whose opinion ought not to have been asked. "The rejection of these clauses," said Lord Sydenham, "has ruined me quite." He, however, determined to pass an ordinance to establish such Councils in Lower Canada, which has proved so defective as to be almost inoperative. The wardens or mayors were not to be elected, and their nomination was confined to the Crown.

Another ordinance, passed before the elections could take place, at once justified the hostility of the whole French population to the Union. The Union Act directed the boundaries of the cities and towns to be set forth by letters patent. When this power was conferred it was not presumed that it would be used to restrict the franchise, and to convert the cities of Quebec and Montreal into rotten boroughs. Yet in defining the limits of these cities Lord Sydenham cut off what are pleasantly described to have been the suburbs, under the pretence that the commercial interests would otherwise have been without representation. His object is said to have been to fulfil the intentions of the Imperial Legislature.* We know of no intention of Parliament except that which is expressed in its resolutions, or in the records of its proceedings. A conversation between Lord J. Russell and other members does not express the opinion of the House of Commons, still less of the entire Legislature. Had it been told to those members of the House of Commons, who owed their seats to the enlargement of the boundaries of the boroughs in Great Britain, that it was Lord J. Russell's intention to reduce the ancient boundaries of the two great cities of British North America to so narrow a space as to convert them into rotten boroughs, we have little doubt of the manner in which the proposal would have been received. What interests have the merchants differing from that of the community, and in what had they to complain of legislation in Canada? But is a truly mercantile representation—treating the large class of shopkeepers who were excluded from the franchise of Montreal and Quebec, not as merchants—attainable in Canada? We think not. The merchants are nearly all of them indebted to the

* Life, p. 226.

banks, and such a scheme would end in a mere representation of the banks, followed by a contest respecting banking privileges. From the manner, however, in which it is related, Mr Murdoch does not appear to be aware that so grievous was the injustice of this proceeding considered to be, that in the last session of the Provincial Parliament an Act was passed, without a division, to restore the ancient boundaries.¹ Other parts of the same ordinance, especially that giving a member to the village of Bytown, were equally objectionable.

It is not, therefore, surprising that a cry against the Union prevailed. In the treatment of Mr Viger, in the continuance of Mr Ogden as Attorney-General, in the distribution of the forty-two members to be elected in different districts of Lower Canada, and in the setting forth of the electoral boundaries, there was nothing to be seen but a determination to set aside all respect for the opinion of those who were about to resume their electoral rights.

When the elections took place, "the French," says Mr Murdoch, "shouted for equality of representation and the maintenance of their privileges, and the English assumed to be supporters of the British connexion, of the Union, and of the policy of the Government. Thus the Government became inevitably, and without any action of its own, mixed up with the contest." We confess these expressions have surprised us. Was there no interference on the part of the Government in setting out the boundaries of Quebec and Montreal, and none in communicating with the Government candidates? Does not Lord Sydenham himself speak of "my candidates" in Upper Canada, and did he not himself communicate with his own candidates in Lower Canada? "A good deal of violence occurred, and without it there is no doubt," Mr Murdoch adds, "that at the elections the result might, in some instances, have been different." We are satisfied with the admission, though we cannot reconcile it with the very elaborate defence which he makes of the proceedings of each election where violence effected the return. The result would have been different at Beauharnois, as proved by a late election; different at Rouville, as proved by another late election; different at

¹ Mr Cartwright, to whom the office of Solicitor-General of Upper Canada was offered by Sir Charles Bagot, expressed his opinion of this measure, to Sir C. Bagot, in these words—"Although it is certain that if this (the new limitation of the boundaries of these cities) had not been done, persons in opposition to the Union would have been returned, yet I feel that less real danger would ultimately have resulted; and I cannot imagine how it could ever have been supposed that harmony could have been produced by an act of the grossest injustice."

Terrebonne, where no polling took place, and the return was made against Mr Lafontaine, in whose favour the county was almost unanimous; and in the absence of violence it would have been different in the counties of Montreal, Vaudreuil, and Chambly. It is certainly asserted that these elections were interfered with to prevent violence,—through this Hibernian interference the peace was kept by preventing voters from coming to the poll! The parties to such transactions might in England find their reward in imprisonment, but such was the official morality prevalent in Canada, that they were considered to be entitled to the favour and protection of the Government. The following description, however, of the elections, and of the manner in which they were interfered with, is shorter, and more graphic than that given by Mr Murdoch. It was published in 1842, at Montreal, shortly before Mr Papineau, the brother of the late Speaker, was returned for Ottawa in the room of Mr Day, the Solicitor-General.

“Men pass on and scarcely trouble themselves to inquire who has won or who has lost—and the fate of De Salaberry, and the probable defeat of Symmes, is viewed with the utmost indifference. Then (in Lord Sydenham's time) Montreal could precipitate itself on the St Lawrence, and the active agents of the loyal party hurried from place to place to marshal their strength and secure victory. Now no one thinks it worth his while to trouble his head about the matter, and the battle is left to be fought by those on the spot, unaided and uncared for.”

Happily Sir Charles Bagot, among other good deeds, assented to an Act which will prevent the recurrence of such proceedings.

By the returns of the six counties named, by the four votes for Quebec and Montreal, and the vote for Bytown, the Government secured twenty-four members* instead of thirteen, and the French Canadian party numbered twenty instead of thirty-one.

Upon the opening of the new Parliament the resignation of Mr Baldwin was made. It was impossible that he could support Lord Sydenham in the defence of the elections of Lower Canada. It was plain that neither union, nor peace, nor the execution of the law in that part of the province, could be accomplished, if the injustice and violence commenced towards the French Canadians was to be continued. Mr Baldwin having been returned for two constituencies, upon making his election for one, the British constituency of the second Riding of York in Upper Canada, invited Mr Lafontaine to come forward, and he was subsequently returned, though too late to take his seat during the session.

* Life, p. 227.

The difficulty in which Lord Sydenham was thus placed by Mr Baldwin was certainly great, but by persuading certain members that the hostility of the French Canadians to the Union was not occasioned by his own acts, and by the most unscrupulous corruption, he brought over to his support several members who had usually acted with Mr Baldwin.* Yet though Mr Murdoch bears testimony to the high character of Mr Baldwin, he cannot refrain from making severe charges against him for his conduct in this matter. We regret that certain papers relating to it have been detained on their way to us. We do not, however, believe that Mr Baldwin expected the Administration of the United Province to be formed of the persons who were called together at Kingston; and if there was any delay in his resignation, we are satisfied that it will be proved to have arisen from the conduct of Lord Sydenham.

The House of Assembly met upon the 14th of June. The first question of importance arose upon the petitions on the returns which had been made through violence in Lower Canada. The Act which regulated the proceedings of Election Committees in Lower Canada had been a temporary one, to continue in force until the end of "the next Session." The provincial Parliament was assembled subsequently to its being passed, when a speech from the throne was delivered, and debates took place, but the Parliament was prorogued without any Act having been passed. It was supposed that this was "a session," and that the Election Committees Act had expired. Its provisions, therefore, were neglected.† When the petitions were, however, brought forward, it was held that no act having been passed or judgment given when the Legislature of Lower Canada had been last assembled, the law relating to elections had not expired, there having been no "session." Many of those, however, who supported this technical definition of the word "session" agreed to pass a bill to remedy the oversight that had been committed. It was passed and sent to the Legislative Council, the members of which were entirely under Lord Sydenham's control, where it was rejected, after the Council had first sent down an insolent message to the House of Assembly, asking for the evidence taken to justify the Bill—the Bill being passed to enable evidence to be taken. "And thus," says Mr Murdoch, "was the statute book preserved from a law which would have afforded

* "I shall get through triumphantly unless *my wand*, as they call it here, has lost all power over the members," writes Lord Sydenham. One member, who desired to be touched by it too often, compelled Lord S. to exclaim, "Hang the fellow, does he suppose that I am to buy him every week?"

† Journals of the Assembly, 1841.

a very dangerous and not very creditable precedent to subsequent times.”—"It would also," he states, "have been unjust to the sitting members who had acquired a legal right to their seats." From this opinion we utterly differ. Statutes of limitations may take away a remedy, but they do not legalise illegal acts. The Bill imposed no penalty, it revived no old claim, it did not deal with private rights, private interests, or private property. It was not open to the only valid objections which can be made to *ex-post facto* legislation. Evidence was offered to prove that the functions and duties of an important public office had been usurped through fraud and force. It was offered at the earliest moment, there had been no delay—no waiting to deceive—no unjustifiable negligence. At common law there was no limitation, during the continuance of the Parliament, to prevent such evidence being heard. The object of any limitation is to prevent members from being harassed and their means of defence destroyed. It is not for the purpose of giving impunity to illegal acts. It was therefore monstrous to take advantage of the almost universal ignorance of the legal and technical meaning of the word "session," to prevent a judicial investigation of the grave charges that had been made. What is the object of many indemnity bills passed by the English Parliament? Is it not to enable witnesses to be examined, as in the case of the borough of Sudbury, in order that an inquiry may be made *ex-post facto*, with a view to deprive parties of rights legally acquired, if guilty of illegal practices in the exercise of such rights? The proposed Bill did not go so far. It was to enable an inquiry to be made whether or not a public office, the duties of which affected the well-being and interests of a people, had been legally filled.

There is, however, another fact connected with this proceeding which is hardly credible. In addition to the Election Committees Act, there were other Acts of the Legislature, such as the Jury Act, the Act for the Establishment of Schools, an important Act relating to Emigration, and, we believe, the Acts incorporating the cities of Quebec and Montreal, which, also, depended on the meaning of the words "until the next session of Parliament." All these and other acts the Government had long held to have expired! The lawyers of Lower Canada presumed that the law officers of the Crown in England entertained this opinion. When, however, they acted on it in the House of Assembly, the Crown officers in Canada, backed by Lord Sydenham, turned round upon them and declared that this opinion which they had so long acted on was wrong, and that the Election Committees Act, the provisions of which had been neglected, was still in

force ! But what does Mr Murdoch mean by the vested rights of a member of Parliament ? His rights are those of the majority of the electors to name him to his office, and of the whole body of electors after he is chosen. But he has no private rights to prevent legislation for the protection of public interests or for the proper fulfilment of public duties.

Yet it is not to be inferred from the language of Mr Murdoch, that the Government of Canada has objected to *ex-post facto* legislation of the most objectionable and reprehensible character when its opponents were to be injured. Thus under the Act of 1774, introducing the criminal law of England into the province, the statutes of the 7th Anne, c. 21, and of the 17th Geo. II, c. 39, taking away the forfeiture of real estate in cases of treason, except during the lives of the offenders, became the law of the province. Yet when courts-martial were established for the trial of offenders *then* in custody, an ordinance was passed by the Governor-General enacting that the effect of a sentence should be, not merely the forfeiture to the Crown of real estates during the life of the offender, but for ever. This ordinance has been acted on, and under it families have been reduced to beggary and their expectations have been destroyed. When, however, the most important public rights were to be protected by legislation from the injury arising from a mere technical difficulty in an existing law, the attempt is denounced as a precedent dangerous to subsequent times. It would have been otherwise if the administration candidates had been prevented polling a legal majority of votes.

The other important subjects before the Legislature were a scheme to establish a Provincial Bank of Issue, the bill to establish Municipal Councils in Upper Canada, resolutions insisting on the responsibility of the members of the Administration to the House of Assembly, resolutions against the Permanent Civil List fixed by the Union Act, the Translation of the Laws into the French language, and an Address to the Crown to grant an amnesty to political offenders.

1. The scheme of Lord Sydenham to establish a Bank of Issue we consider to be entitled to unqualified approval. It would not merely have relieved this country from a portion of the hazard of its guarantee to pay the late loan of a million and a half, but it would have checked the ruinous paper-money system of chartered banks, with a limited responsibility of the stock-holders, which has produced the chief mercantile difficulties which at this time distress the province, and it would have secured to the public revenue a large portion of the profit of its paper circulation. It would not have added to the influence of the Government, and when this had been proved by expe-

rience in Canada, the plan would have been adopted throughout America. It was a very valuable and important measure. It failed through the opposition of the mercantile representatives, whose presence was esteemed to have been of such great importance, and for whom the greatest abuse of authority had taken place. The influence of the banks was also exercised over merchants in the Assembly who were convinced of the importance and value of the measure. Its defeat was also aided by the conduct of Lord J. Russell. While the discussions upon it were pending, the news came that the Home Government had chartered the Bank of British North America as a Bank of Issue in Canada. Its effect was immediate. The scheme of the Governor was blown to the winds, and a committee reported to the House, on August 27, the draft of an address to the Crown, which set forth—

• “That it was the bounden duty of the House, on behalf of the people of Canada, to protest against this charter.”—“That the statute, by virtue of which they were assembled, was intended to confer upon the people of Canada the power of managing their own local affairs, and that they had ventured to hope, from the tenor of recent despatches of Lord J. Russell, that non-interference with their affairs would be the principle on which her Majesty’s Council would thenceforth be governed.”

2. On the Municipal Council Bill “the combination of parties,” says Lord Sydenham, “was so strong, that on a most important clause in the Committee—that of the nomination of wardens by the Crown—we could only throw out an amendment making them elective by the casting vote of the chairman.” The Government therefore was, in fact, defeated, and the elections which took place before the next session of the Legislature, gave a majority in favour of the elective principle. The reason given for reserving to the Crown the nomination of the wardens is not without a precedent. It was, that as the Councils might oppose the Government, it was necessary that the chief officer should be dependent on the Crown. This reason proceeds upon the assumption that the Government was to remain in constant hostility to the people. It is similar to that set forth by James II, to justify the forfeiture of the charters of the city of London and of other towns in his efforts to establish a despotism, and it is probably not quite forgotten in the family of Russell. The bill, however, was carried upon the third reading by a majority of thirteen, the members for Upper Canada being desirous to get any bill rather than to be without municipal councils, but determined to make important changes in it, some of which were announced at the commencement of the next session. In the shape in which it was carried, it was very defective. The districts over which the

councils are to act are of an absurd extent, and the efficiency of the institution is destroyed by the meetings of the council being limited to four periods of the year.

3. "There may be a little bickering on the Civil List, but I do not dread it," was the language of Lord Sydenham on the 27th of June. This Civil List is contained in the schedule of the Union Act, and takes from the control of the Provincial Parliament the sum of 75,000*l.* ; though the Act recites the 18th Geo. III, c. 12, and disclaims the power of taxing the colony except for the regulation of trade. What is the difference between taxing a colony without its consent, and seizing and appropriating money arising from existing laws without the consent of the colony, we cannot distinguish. It is sometimes supposed that our contest with the American provinces was merely on the doctrine of the connexion of the power of taxation with representation—but it is only necessary to refer to the excellent History of America, by Mr Bancroft, to be satisfied that the contest on the Stamp Act grew out of the attempt of the Crown to obtain a permanent Civil List, and to make its colonial agents independent of the votes of the colonial assemblies.* We are ignorant in England of the feelings on this question prevalent in Canada. The contest may be delayed, but the preparations for it are going on, and the repeal of so much of the Union Act as relates to the Civil List is inevitable, unless we are to embark in the dispute regard-

* In Pennsylvania, in 1694, the House of Assembly "claimed the right of making specific appropriations, and of collecting and disbursing money by officers of its own appointment. The demand was rejected as an infringement of the Royal prerogative, and after a fortnight's altercation the Assembly was dissolved."—Bancroft, vol. iii, p. 39.

In New Jersey the Assembly fixed the amount of its grants to the governor. "The Queen did not venture to prescribe, or to invite Parliament to prescribe a salary,—still less herself to concede it from colonial resources. Urgent that all appropriations should be made directly for the use of the Crown, to be audited by her officers, she wished a fixed revenue to be settled; but the colonial deliberations were respected, and the wise Assembly, which never established a permanent revenue, often embarrassed its votes of supplies by insisting on an auditor of its own."—Vol. iii, p. 49.

In New York, in 1705, "the firmness of the Assembly won its first victory; for the Queen permitted specific appropriations of incidental grants of money, and the appointment by the Assembly to take charge of extraordinary supplies."—Vol. iii, p. 62.

In 1709 "Lord Cornbury had fulfilled his mission; more successful than any patriot, he had taught New York the necessity and the methods of incipient resistance. The Assembly which met Lord Lovelace, his short-lived successor, began the contest that was never to cease but with independence. The Crown demanded a permanent revenue without appropriation; New York, henceforward, could only raise an annual revenue, and appropriate it specifically."—Vol. iii, p. 64.

less both of treasure and of life. But greatly did Lord Sydenham miscalculate. In September it was moved that "all supplies were the sole gifts of the Assembly, and that the House would proceed to grant them in the hope that justice would be done to the inhabitants of the province in respect of the appropriation made by the Union Act for the support of the civil government of the province, out of the monies levied on the subject therein." So strong was the opinion in favour of the motion, that the Administration could only obtain a majority of six in favour of the mildest amendment that could be framed. It was proposed by the Attorney-General Draper, and carried, that during the first session of the Parliament, it was not expedient to enter into a discussion of the principles upon which the Act of Union was framed, or to express a premature condemnation of its details. But, on a second resolution, setting forth that no vote of the House should be held to be a future recognition of salaries or allowances, not heretofore voted by the respective Assemblies of the two provinces, the Government was defeated,—five members of the Cabinet being in the minority. Thus was war declared on the Civil List fixed by the Union Act, and the Imperial appropriation was condemned.

4. A Bill to provide for the translation of the laws into the French language, though not proposed by the Government, met with the support of the English members. The Union Act (sect. 41) declared that the journals, entries, written or printed proceedings of the Council and Assembly, should be in English only; not, however, preventing translations. If its object had been the fair administration of justice, it would have made provision for the publication of the laws and proceedings of the Legislature in the language of the people. This is done in Louisiana, where a large portion of the population speak French, and in Pennsylvania the laws of the state are published in the German as well as the English language. There were those in the Assembly who believed it to be the intention of the English Government to commit the grievous injustice of violently suppressing the French language. Some members of the English party resisted them, and the Bill was passed. At present there is no provision of the House of Assembly to enable members to understand what passes. We saw a ludicrous instance of it in the last session. When Mr Lafontaine was explaining the reasons that had prevented his immediate acceptance of office, one of the members of the Administration cried out to him to speak in English. He instantly refused, and insisted upon speaking the language of his people. After the debate an apology was made to him, the member going to

him and saying "that he was sincerely desirous to know what he said, and had not intended to offend him." This could not have occurred in Louisiana. Often have we sat in the Senate house of that state, and heard the debates most amicably conducted. The clerk at the table gives an abstract in English of the speech of a French member, and in French of an English speech, immediately after it is delivered. It was far from making the debates long. On the contrary, it appeared to us to produce short and very pithy speeches. But in Canada we found nearly all the English members utterly ignorant of what was spoken in French.¹

5. The fifth important measure of the session, namely, what are called in the province "the Responsible Government resolutions," in which it was acknowledged that it was the duty of the Governor so to form and conduct the Government as to ensure its harmony with the majority of the House of Assembly, accomplished one great object of the rebellion, and asserted a principle which had been so long opposed by successive governors, at a cost to the English people of many millions of money. Lord Sydenham is praised for these resolutions! They were forced upon him. He and his Cabinet had no desire that the subject should have been discussed. It is true that he amended the original resolutions, by insisting that his own responsibility was to the Government in England. It may be so in name, but the continuance in Canada of a governor at war with the Assembly has already been proved to be impossible, and establishes some not very slight responsibility* to the people in the province. Strictly speaking, his responsibility is to the English Government; but in fact that responsibility amounts to nothing. No House of Commons can exist in the present state of parties that would have called either Sir F. Head or Lord Sydenham himself

* No attempt to suppress a language has ever succeeded. It has not been accomplished in Poland, and it will not be effected in Canada. It was attempted some years since in Wales. When it was made, parents refused to allow their children to attend the schools where instruction was only given in the English language. When schools were established to teach the children in Welsh, applications were made to teach the English language also. But the late Government appear to have thought that the French in Canada could speak English as soon as the Union Act should be passed! They had forgotten that after above 800 years' occupation of the islands of Guernsey and Jersey, the Norman dialect continues, and that in Scotland, Ireland, and Wales the English language is utterly unknown to a large section of the population. In Hungary an attempt was made to suppress the Magyar language. The result was, that the nobility even refused to speak German, though well acquainted with it, and the contest was terminated in September last by a decree directing its use in public proceedings, and providing for its being taught.

to an account, however outrageous their conduct might have been. By the officials in Canada the resolutions must have been most unwillingly assented to. Mr Ogden, who was lately in England to protest against his dismissal, assuredly did not intend that his vote upon this occasion should place his appointment under the control of the House of Assembly. He must have forgotten when he gave it that Mackenzie, in Upper Canada, was the first man in the province who used the term "responsible Government," and wrote in support of the principle.

6. The only other measure of the session deserving of notice, was an almost unanimous address to the Crown for an amnesty of political offences. The neglect to comply with it occasions more evils in the province than would appear possible. Every man who enjoys the satisfaction—and how few there are who do not—in the success of the liberal opinions which he advocated in adverse times, considers it to be his duty to extend his sympathies to those whose feelings drove them to pass the bounds of safety. How, indeed, can an amnesty be refused after the publication of the following opinion of Lord Sydenham?—

"When I look to the state of the Government, and to the departmental administration of the province, instead of being surprised at the condition in which I find it, I am only astonished that it has endured so long. I know that, much as I dislike Yankee institutions and rule, I would not have fought against them, which thousands of these poor fellows, whom 'the compact' call rebels, did, if it were only to keep up such a government as they got."—(*Life*, p. 149.)

There may be those who remember the strong language used towards Mr Hume for using the words "the baneful domination of the mother country." How much stronger is this language of Lord Sydenham? He would not have fought for the Government! He would have been a passive, if not an active, rebel! Yet in the British Cabinet he was a supporter of the system he condemns, and was one of the associates of that Government which, in its high-handed and violent course, would, but for the honourable interference of Mr Roebuck and Mr Hume, have actually transported nine Canadians to our penal colonies who had not been tried, and, therefore, had not been convicted of any crime!

In these proceedings of the Assembly we are unable to perceive any pretence for the extravagant laudation of himself which runs throughout Lord Sydenham's letters, and throughout the commentary of the civil secretary.* Whatever success he had

* The principal measures of the session, besides those mentioned, were a Bill to establish a Board of Works, an Alien Bill, a County Court Bill, and

was derived from a denial of justice in the case of the disputed returns at the elections, and from the injustice committed in laying out the boundaries of Quebec and Montreal. But even with this advantage, in what was success obtained? We have not omitted the notice of any measure of public interest debated in the Assembly upon which Lord Sydenham could have expected to experience any severe party opposition. He was saved from the disgrace of the exposure of the proceedings at the elections by the vote of Legislative Council, all the members of which he had himself nominated. His majority of one on the Municipal Councils Bill was certainly not a triumph, and he failed in carrying his scheme for a Bank of Issue. Upon the vital question of a permanent Civil List, he was defeated. It was the attempt to obtain THIS which had been the cause of the earliest contests between the Assembly and the Home authorities. It was for this that one of the most obnoxious resolutions of the House of Commons, in 1837, was passed; and it was this which was regarded by the Colonial Office as the greatest triumph obtained by the suspension of the constitution of Lower Canada. Yet in the first parliament of the united provinces, in which the Government had greater support than it can ever again expect to obtain upon this question, the Assembly refused to recognise the appropriation made by the Imperial Parliament for the payment of the officers of the Colonial Government.

We confess that we have read with some astonishment the claim that is made for Lord Sydenham, of friendly feelings towards the population of Lower Canada upon account of his offer of the solicitor-generalship to Mr Lafontaine, and on account of his resistance to the resolutions proposed in the Assembly of Upper Canada before the Union—a body which, from the circumstances of its election, did not represent the opinion of the province. These resolutions could not have been agreed to, and we will not believe that either the House of Lords or the House of Commons in England would have enforced them. Had they been acted on, they would have rendered it necessary to have kept Canada under a military government at an enormous cost, and have prevented either the investment of capital in the country or emigration to it. They would have made a warfare between the Government and the people perpetual. By those resolutions

a Bill relating to Public Lands. It might be inferred from the Memoir either that no laws had ever been passed in Canada before these, or that no public measure had been previously carried against an opposition. The success of the Administration of Lord Sydenham must be determined, by proving that any one of the questions set forth to justify the rebellion have been settled in favour of the Government.

it was proposed that there should be fifty members for Lower Canada and sixty-two for Upper Canada; that after 1845 the elective franchise should be restricted to persons holding land in free and common socage, and that the English language should alone be spoken in the Legislature.

How the last of these resolutions could have been carried into effect we cannot comprehend. What could have been done if members of the Assembly insisted on speaking in French? If effected, how, with the example of the treatment of the French of Louisiana by the American Government before them, could rebellion have been suppressed in Lower Canada, or the greatest anxiety be checked to join those from whom no such disregard of their feelings and happiness would be experienced? Instead of being a loyal and contented people, a strength and support to the Government, they could not have failed to have sought every opportunity to favour an alliance with the United States.

The resolution relating to the tenure of land requires explanation, and in making it we will show both the justice and the necessity of the demand made in Lower Canada for the repeal of the Act, known as the "Canada Tenures Act."

Under the ancient French system of colonization, large tracts of land, under the name of *seigneuries*, of large though unequal extent, were granted by the Crown. The grantees, or *seigneurs*, as they were called, were, according to the law governing these grants, compellable to make a concession of about ninety acres to any person claiming it, not already a grantee, reserving to himself a chief rent, generally of about a penny an acre. He was prohibited to sell the land, and was a trustee of it for the benefit of settlers. If he refused to make a grant, certain officers of the Government could make it, reserving in such event the rents and services to the Crown, to the exclusion of the seignor. Upon the alienation of the seignory by the seignor he was liable to pay one-fifth of its value to the Crown, that is, of the value of the rents reserved and of the lands he himself cultivated. Upon alienation of land held by the tenant, the tenant was liable to pay to the seignor one-twelfth of its value (two years' value at twenty-four years' purchase). Both the seignors and the tenants were to make roads, and the tenants were liable at given times to be called upon to take out new deeds, which were in fact copies of the original grants. Upon the establishment of the English authority in the province, the enforcement of the duties of the seignors was neglected by the Government, though the services of the tenants were rigidly enforced by the seignors. The other incidents of the tenure it is not material to mention. At this time, in some of the seignories, all the waste lands have

been conceded, in others but a small part, and in one no concession has been made.

The exactions of the seignors became the subject of constant complaints. Though forbidden to exclude those who demanded lands, by requiring a sum of money in hand as a sale, they effected the same object by a mode which is considered in the province to have been illegal, namely, by increasing the amount of the ancient rent reserved. The question of the legality of this proceeding has, unfortunately, not been brought before the Privy Council, whose decision would be received with general satisfaction. In issuing, also, new deeds, advantage has often been taken of the grantees being illiterate, to insert conditions not mentioned in the original grants. These abuses are not defended by the French Canadians. The House of Assembly attempted to check them, but was defeated by the seignorial influence paramount in the Legislative Council. In the towns of Montreal and Quebec the grievance of the English is the fine payable on alienation, though in the former town real estates are now subject to commutation. They call it a French service, and the incident of a base tenure, yet the same fine is demandable upon alienation in many parts of England; for instance, a fine of two years' value on alienation was paid not long since to the lord of a manor near London, amounting to upwards of 5,000*l*. But it is no doubt an objectionable payment where, as in a new country, alienation is frequent. There was a simple remedy, however, which would not have interfered with private rights, and to which we have heard seignors express their concurrence. It would have to have fixed the value of the lands granted, and to have charged the lands with a small increased permanent rent-charge payable to the seignor. To the tenant it would be a light burthen, and the seignor would receive a certain annual rent for an uncertain windfall. It would, also, prevent the necessity of calling upon the tenants to receive new deeds in order to ascertain if any alienation had been concealed to avoid the payment of the alienation fine. Such a regulation would have left undisturbed titles, securities, and the expectations of children, and it would have removed the real causes of complaint against the tenure. The English Parliament, however, chose to deal with the subject differently. It provided, by the Canada Tenures Act, that if the seignor commuted with the Crown for the fifth payable by him on alienation, the lands in his own occupation should be held in free and common socage, and that he should become the sole and entire proprietor of the waste lands, discharged from his obligation to grant them. If the seignor commutes, but not otherwise, the tenant

may commute, but the act leaves the tenants to make their own terms with the lord on the commutation of the tenure of their lands, providing a machinery for the settlement of differences so costly as to have prevented commutation, even if any tenants had been willing to make it. It does not make the commutation compulsory on the seignor, who, if he has no waste lands within his seignory, has nothing to gain by a needless payment of money to the Crown.

To prove the beneficial operation of this act to the seignor, and to him alone, we may instance the case of the seignory of Beauharnois. Its extent is six leagues fronting the river St Lawrence, and six leagues in depth, and it contains, therefore, 207,360 acres, or perhaps more, if a claim to land on the part of the seignory beyond these limits should succeed. The tenure of this seignory was commuted. At the time there were 120,000 acres of waste land.* On the payment, in 1833, of 1,622*l.* 1*9s.* 10½*d.* on account of the fifth of the value of the seignory, as an alienation fine, the seignor became the proprietor of these lands, and subsequently sold them, it is said, for 150,000*l.* Another instance of a similar kind is that of the augmentation of the seignory of St Ann. The seignor had never made any concession, and yet in 1830 he became the owner of the public lands within it on the payment of 70*l.* 11*s.* 3*d.* The act is merely advantageous to the seignors who have evaded their legal obligations.

It is, therefore, clear that the complaint of the Assembly of Lower Canada against the "Canada Tenures Act" was just. It does not afford relief to the tenants, who alone were injured by the abuses of the system, and in transferring the waste lands to the seignors, it gives to them property really belonging to the public. If it were necessary to change the tenure, the waste lands should have become part of the public domain, and have been sold for the benefit of the province, allowing to the seignor a portion only as a commutation of the penny an acre to which he would have been entitled if the whole had been conceded, and a further allowance of land, in respect of the alienation fine, that might have become due from tenants. Relief, however, from seignorial exactions, and the change of tenure, are two different things. The change of tenure into free and common socage the people do not desire—they do not wish the establishment of the law of primogeniture, nor desire to have the title to their property and their securities disturbed; but a change of tenure into *franc aleu* would be willingly assented to.

The French Canadians, however, are not to blame for the

* Report of Commissioners, 1837. Appendix, p. 53.

abuses of the system. If the Government had desired to correct them, it might have proposed in Canada a popular remedy. The tenants are defenceless before the seignors, and the Tenures Act does not protect them. On the contrary, it is now contended that the sum paid for commutation by the seignors in the instances in which commutation has been made, gives a vested right to the seignor to make his own terms with the tenants, which is beyond the control of the Provincial Legislature! It is needless to pursue the matter. We have not the opinion of the English Legislature that Mr Murdoch has, when he states that it needed only the consent of Lord Sydenham to have obtained its sanction to a law which would have disfranchised almost the entire population of Lower Canada, unless they acceded to the demands of the seignors who had taken advantage of the Imperial Act, and which would have deprived those of the franchise whose seignors decline to commute. The tenants in the latter case—as, for example, in the case of the seignory of Chateaugay, belonging to a religious society of Nuns, who can never contemplate the alienation of the property, and therefore will not pay a fine to the Crown on account of a mere imaginary act of alienation—have it not in their power to change the tenure of their lands. In such instances as Beauharnois, where the seignor has commuted, he might, by insisting upon high terms, as the condition of allowing the tenants to commute, have made the county a rotten borough.

We have explained this subject at length, though it is both dry and technical, as it can only be dealt with by the Imperial Parliament, and also because the demand of the repeal of the “Canada Tenures Act,” has been treated as evidence of a blind hostility to English law. We have, also, proved that a franchise dependent on the tenure of free and common socage could not have become a condition of the Union.

Lord Sydenham died on the 19th of September, 1841, at the close of the session of the Provincial Parliament, in consequence of injuries arising from a fall from his horse. For his services in Canada he had been elevated to the peerage, and received the nomination of a Knight Grand Cross of the Bath. On the 28th of August previously he wrote thus:—

“I have brought the Assembly by degrees into perfect order, ready to follow wherever I may lead; have carried all my measures; avoided or beaten off all disputed topics, and have got a ministry with an avowed and recognised majority, capable of doing what they think right, and not to be upset by my successor.”—*Life*, pp. 253, 254.

This representation of the state of affairs in Canada was very far from being true—except that he had “beaten off”

the more serious questions, and left them as a legacy to be settled by Sir Robert Peel. The same persons whom he calls "his ministry," he in another letter terms "his officers," and scornfully adds—"ministers!"

Sir Charles Bagot was appointed to succeed Lord Sydenham. Upon his arrival he found the greatest exasperation prevalent in the province; the disputes with America alarming and threatening to the Government; an actual majority against the Administration, and that majority increasing by the result of new elections; and the chief part of the population justly discontented. In the summer of 1842, not long after his arrival, there was not a member of the Administration in Lower Canada capable of communicating with the population in the French language. Mr Daly, the Provincial Secretary, and Mr Ogden, were in England. Mr Day, the Solicitor-General, had adroitly placed himself upon the bench. In the Administration itself Sir C. Bagot had to fill up three vacancies—viz. the offices of solicitor-general in both sections of the province, and that of inspector-general of accounts. The inspector-generalship was given to Mr Hincks. Nothing could have prevented his being ultimately in the Ministry, but we do not understand how he could have persuaded himself to act with Mr Ogden. Up to the time of his appointment he was the editor and proprietor of the 'Examiner,' an ably-conducted newspaper published at Toronto, of very liberal politics, and always spoken of by "the family compact" party, though most unjustly, as a seditious journal. To Mr Cherrier, the near relative of Mr Viger, the office of solicitor-general in Lower Canada was offered. He was at this time suffering from an illness contracted from an imprisonment, suffered under the orders of Mr Ogden, with whom he was now invited to act! Sir C. Bagot was so honourable a man, that we are satisfied he was ignorant of the politics of the province when he was advised to take this step. It is hardly necessary to say that Mr Cherrier, beloved by his countrymen for his private virtues, his public worth, for his great learning, and still more for his unflinching patriotism, rejected the proposal. The office, in consequence, remained vacant. Mr Cartwright, a member of "the family compact," was invited to accept the solicitor-generalship of Upper Canada; but he refused to join Mr Hincks. The place was then offered to Mr Sherwood, another member of the same party, who accepted it, subject to be replaced if he did not obtain a seat in the House of Assembly—a condition with which he was ultimately unable to comply. In addition to these persons the Administration was composed of Messrs Draper and Sullivan, who had been ardent supporters of Sir F. Head, and joined Lord

Sydenham in putting down the party Sir F. Head brought into power. Mr Harrison, the author of a 'Digest of the Decisions of the Court of Queen's Bench,' was the Provincial Secretary for Upper Canada; and Mr Dunn was the Receiver-General. These gentlemen—with the exception of Mr Ogden and Mr Daly, who were absent—were called upon to guide Sir C. Bagot at this difficult period of his Administration, and he certainly did more than should have been asked of him in his efforts to retain them in office. We say this, because there is an impression in this country that he volunteered to break up the arrangements of Lord Sydenham. It was not so, and even in his appointment of Mr Hincks, he fulfilled the intention of Lord Sydenham. He did all that it was possible for him to do to keep the Ministry in office; and they, seeing that they had no majority in the Assembly, in the agonies of despair sought to conciliate and unite men burning with personal wrongs and scorning each other.

There was, however, a most just and proper appointment made by Sir C. Bagot, of which he himself must afterwards have felt the value. He conferred upon Mr Vallieres St Real the office of chief justice at Montreal. It is the first time that it has been held, under the British Government, by a French Canadian. The merits of Mr V. St Real placed him without a competitor, and he ought long since to have been the chief justice at Quebec.

When the Provincial Parliament met, there was a certain majority of sixteen—Sir A. M'Nab, in the House of Assembly, said twenty—against the Provincial Administration. It became necessary for the peace of the province that the French Canadians should be admitted to office. Had this not been done the constitution of Canada must have been again suspended. A military governor could not, and most probably would not, have effected the change, but to a civilian accustomed to the operations of representative bodies, its necessity must have been apparent, though it was with some difficulty, and no doubt with some sacrifice of personal feelings, accomplished. Mr Ogden and Mr Sherwood were dismissed, and Mr Draper resigned. The attorney-generalship of Lower Canada was conferred upon Mr Lafontaine—the first French Canadian who has held the office; that of Upper Canada on Mr Baldwin; Mr Morin, on the refusal of Mr Girouard, was appointed the Commissioner of Crown lands, with a seat in the Cabinet; and the solicitor-generalships were conferred on Messrs Small and Aylwin. There probably ought to have been other changes, but the power of the House of Assembly was established, and it voted an address of thanks to Sir C. Bagot, by a majority of fifty-six to five, for the course he had pursued.

Thus was a change effected in the Government of Canada, in compliance with the principles of its institutions, which, if the Colonial office had permitted, only a few years since, would have prevented the unfortunate events which made the Government of Canada a scandal to the whole of North America. Henceforth Canada must be governed upon the terms of a democratic province. It will no longer nestle in its public offices, either jobbers in land or jobbers in public employments. The settler and the native-born Canadian, unpatronised by the Colonial office, may now aspire to honourable distinctions and to public office among their countrymen. It will be "Canada for the Canadians"—but for Canadians in the largest meaning of the word. Birth in the colony will not, as heretofore, be an obstacle to advancement, and new settlers will be able to make their way unimpeded by men who have no claims to popular respect. In spite of all that has been said against it, the spirit of Canadian nationality will be increased—but it will depend upon the Government here whether it shall act against British supremacy, or excite a generous and honourable competition with the neighbouring States. The Canadian cannot make his contrasts with England—which is almost foreign to him. He looks at the States. He reads Republican newspapers, he knows their politics, and discusses the questions which agitate the Confederation. The provincial papers do not reprint the debates in the British Parliament, or the arguments by which opinion is guided in England. Out of the reading rooms in the few large towns of Canada, an English newspaper is rarely to be obtained. It is American opinions which affect every man in the province, even though he speaks very loud in uttering his abhorrence of republics, and praises the "family compact." To the most loyal the English monarchy would be a mere abstraction, were not a standing army continually before their eyes from the borders of Lake Huron to the coast of the Atlantic. They know nothing of the favours of the Crown, of its honours or of its rewards, except that they were very plentifully bestowed upon English officers, who opposed them in a civil warfare. They hear of Americans being employed in the army or navy of their country, but it would be esteemed miraculous if a commission in either the one or the other in the British service, were bestowed on a French Canadian, even though his ancestor might have been the brave and loyal De Salaberry. They see a succession of governors, who do not, in the time they remain in office, illustrate the stability of the Crown, ~~though~~ they are told that they represent it; nor do they learn to think elective governors objectionable when they perceive the contempt non-elected governors have exhibited towards their representatives. They have heard that learning is

patronised under a monarchy, and yet they know that all the Northern States of the Union are crowded with schools and colleges, while the great college at Quebec, founded by the piety of a past generation for the education of their children, has been occupied for years, in opposition to their remonstrances, as barracks, by a regiment of the Queen's troops. Yet, notwithstanding all this, they love Canada. In their most sanguine wishes for its prosperity, they have not desired the union of their fortunes with those of the United States. Of this they have given the strongest testimony. When a foreign army, in our own time, was in their country, they rallied in thousands at Lachine to meet the enemy, and at Chateauguay nobly devoted themselves until they made a day of deadly strife one of victory. This nationality may be safely cultivated. If it is destroyed, European attachments cannot be substituted for it. If it is not checked, it may be made the means of securing the votes of the people for the British Government, which, in adverse times, may prove as useful as their rifles.

In the short session in which the events we have mentioned took place, there were passed, among other measures, a bill to restore the ancient boundaries of the cities of Quebec and Montreal; a bill to limit the time of polling at elections to two days, and to prevent violence and corrupt practices; a bill to repeal Lord Sydenham's Judicative Ordinance, which had been found to be impracticable; a bill to abolish an ordinance establishing a rural police, which was found to be both costly and needless; and a bill to amend some of the defects of the Registration Ordinance. A very important catalogue of measures to set off against those recited with such an extraordinary flourish of trumpets in the work before us.

Yet, in this session, there occurred proceedings in the Legislative Council which ought to excite the most serious attention of the Government. The first day of its entering upon business, the Hon. Mr de Blacquiére, of Upper Canada, announced that the control exercised over that body by Lord Sydenham would no longer be tolerated. Before the session closed it twice placed the Administration in a minority, and invited a contest with the House of Assembly. The two Houses cannot act in harmony, unless upon every change of Administration the existing majority in the Council is swamped by new members. Yet how dangerous will this be? It will perpetuate the agitation of party questions in the Council when they might have ceased to disturb the Assembly. We once thought that the establishment of a Colonial Council of honorary members, such as the Privy Council, from which the Administration might summon such members as

it thought fit to form the Legislative Council, might be practicable, but we doubt if it would be popular. At present the Legislative Council is not a Conservative body, and in Lower Canada it certainly never was such. There it defied both the Colonial Office and the Assembly. An Elective Council will eventually be asked for, and we are convinced it would be a safer institution for the British Government to sanction than that in existence.

Sir Charles Bagot was attacked by a fatal illness soon after the Parliament was prorogued. The prayers offered up by the people in the churches of Lower Canada for his recovery, proved that "Le bon Bagot" had rekindled in their breasts their ancient sentiments of loyalty, attachment, and gratitude.

Let us now recite the measures contended for by the Canadian people in 1837. They asked that the officers of the Government should be responsible to the Assembly; that the Executive Council should be made responsible; they refused a permanent Civil List; they asked for an elective Legislative Council; and they desired the repeal of the Canada Tenures Act.

The fruits of the contest have been, securing the responsibility of the officers of the Government to the Assembly, and—notwithstanding the resolution of the House of Commons in 1837—securing the responsibility of the Executive Council, which is composed of the members of the Administration. Debates on the constitution of the Legislative Council were suspended by Lord Sydenham making that body a mere nullity. But having re-asserted its independence, it has invited a re-discussion of the propriety of its being elective. The repeal of the Canada Tenures Act will not, we think, be refused. The permanent Civil List has been denounced by the votes of the representatives of the united province.

Such is the state of a contest which had almost alienated the affections of the Canadian people—which made the result of any dispute with the United States doubtful—which has produced rebellion—which has caused the necessity of having an enormous army in that part of our dominions—and which has cost the people of England several millions of money. Unfortunately it has not terminated. In no part of America will the control over the public purse be yielded up by an elected branch of the Legislature. This and the state of the Council are two remaining subjects of contention, of importance as questions of Imperial interference. They were not advanced to an amicable termination by Lord Sydenham, though they appear to have been among the conquests which he boasted of without having achieved. But they are questions which throw the greatest

responsibility on the Government here. Their immediate settlement may put an end at once and for ever to all fear of rebellion in Canada, and to all desire to obtain, either by independence or a junction with the States, the protection from official abuses which the institutions of this great province do not yet give. Resistance will be followed by discontent, weakness, and defeat—concession by peace. Let it be remembered, also, that there are no longer two provinces in Canada. The wisdom of English statesmen has united those who were divided, though their division strengthened the Imperial authority!

We trust, however, that there will be no hesitation in perfecting what has been begun. The people of Canada are now thoroughly and entirely with the Government. Let it perform its part in heartily joining with them in measures necessary for their welfare and acceptable to them—and among the first of these exhibit its willingness to extend education among them, by at once delivering up possession of the college at Quebec, and subjecting the noble endowments connected with it to the control and direction of the Assembly. If it desires to expend its promised annual grant of money in Canada, let it be on schools and colleges, and not upon idle fortifications. British supremacy will not be weakened by such an appropriation. Those who “undertook” to sustain it by violence, and who advocated the Union with a view to perpetuate their dishonest speculations upon the public, “have been hoisted upon their own petard.”—But the late events have afforded to us this gratification, and it is great—they have vindicated the policy advocated in Parliament by Lord Brougham, Mr Roebuck, Mr Hume, Mr Grote, and Mr Leader—faithful to their principles, and careless of threats, of abuse, and of the grossest vilification—and which, without the Union, and more advantageously to the British Government than with it, would, if it had been adopted at first, have maintained the happiness and contentment of the Canadian people, and have left their loyalty unsuspected.

T. F.

* * * In the third volume of ‘Lord Brougham’s Historical Sketches,’ published since the above was in type, we find some remarks on the character of Lord Sydenham which it may be desirable here to subjoin, to complete our present notice of the subject. The passage is somewhat long, but we insert it at length, partly because of its connexion with the preceding argument, and partly from its value as a defence, not uncalled for, of American Statesmen and American Institutions. We cannot agree with some of our contemporaries, who think that, before

admitting the soundness of a criticism, we should inquire into the motives of the writer, and discuss the question of his own personal merits or defects.

“ It is impossible to close the page of history which records the foundation of the great republic, without adverting to the singular change that seems of late years to have come over some friends of liberty in this country, inclining them against the popular institutions which that system consecrates, and upon which it reposes. Writers of ability, but scantily endowed with candour, observers of moderate circumspection, men labouring under the prejudices of European society, and viewing the social system of the new world through the medium of habits and associations peculiar to that of the old, have brought back for our information a number of details, for which they needed hardly to cross the Atlantic, and have given us as discoveries, a relation of matters necessarily existing under a very popular government, and in a very new community. As those travellers had pretty generally failed to make many converts among the friends of free institutions either in France or in England, there would have been little harm done to the cause of truth, and no great interruption given to the friendly relations which the highest interests of both countries require should be maintained unbroken between them. But unhappily some persons of a superior class appear, from party or from personal feelings, to have, without due reflection on the mischief they were doing, suffered their minds to be poisoned by the same prejudices; and a signal indiscretion having suffered their private letters, written under the influence of such prepossessions, to see the light, it becomes every one, whose general opinions coincide with those of the individuals in question, to protest against the inference that such sentiments are shared by the liberal party in England. This becomes the more necessary, in consequence of the tendency which the most reprehensible conduct of some of the states in the Union towards their public creditors has to prepare the way for the reception of such unsound opinions—opinions which, if left to themselves, would probably soon sink into oblivion, how respectable soever the quarters which they may, without due reflection, have been suffered to reach. I allude more particularly to some letters lately published of Lord Sydenham, written confidentially to his late colleagues, while he was acting under them as Governor-General of British North America; letters, the publication of which has, to me, who knew their writer, and respected his generally sound principles, been a subject of much regret, which he appears to have written in a moment of some irritation, but which would do serious injury to the good understanding that happily has been restored between the two nations, if they were supposed to speak the sense of those among us who are most friendly to America.

“ A great deal of vague and general abuse may be passed over, as that the Americans ‘ are a calculating people, and fight not for

glory, but plunder'—'such a set of braggadocios, that their public men must submit to the claims of their extravagant vanity and self-sufficiency'—that there is among them a 'general debasement'—'that those who aim at place are corrupt and corrupters, and the masses who bestow preferment, ignorant, prejudiced, dishonest, and utterly immoral.' I fear me most, if not all, of this railing might be retorted upon a certain nation whose wars in China have been warmly eulogised by Lord Sydenham in another letter, though he is greatly scandalised that all the glory of his friends is not likely to prevent their seats 'slipping from under them;' a nation whose general elections have of late years been found a scene of the most hateful corruption, although we should be guilty of a most gross and unpardonable exaggeration were we on this account to stigmatise the whole people as 'utterly immoral' in the terms rashly applied to his neighbours by the Canadian Governor.

"But the charges which he allows himself to lay, and which his relatives have thought it right to publish, are more specific. 'The government seems to me the worst of tyrannies, that of the mob, supported by the most odious and profligate corruption. No man who aims at power dare avow an opinion of his own; he must pander to the lowest prejudices of the people, and in their parties (the two great ones which now divide the Union, the Loco Focos and the Whigs) the only subject of the leading men of either is to instil some wretchedly low sentiment into the people, and then explode it for their own advantage. There is scarcely a statesman of either who would not adopt the most violent or the basest doctrine, however, if he thought that he could work it to advantage with the majority—speculation and jobbing are the only objects; delusion, and the basest flattery of the people, the means.' 'If,' adds this discreet statesman, 'they drive us into a war, the blacks in the south will soon settle all that part of the Union; and in the north, I feel sure that we can lick them to their heart's content.' 'A republic could answer in former times, in countries where there was no people, or few; the bulk of the population helots and slaves; but where there is a people, and they really have the power, government is only possible by pandering to their worst passions, which makes the country unbearable to a man of any education, and the central government itself a bye-word amongst civilized nations. I hope (he concludes, perhaps consistently enough) that we may live long enough to see this great bubble burst; and I do not believe that we need be very long-lived for that.' (316.)

"I am sorry to be under the necessity of declaring that one is at a loss whether most to marvel at the total want of common reflection, or the extraordinary want of common information in this passage—the production of a man in high office, addressed to a man still higher, and who presumes without any deliberation, and with no knowledge of the subject, to pronounce so sweeping a censure upon the whole body of a great nation, all their statesmen, and all their insti-

tutions. It is fit the Americans should well understand that these are the errors of the late Governor-General of Canada, and not shared by the Liberal party, or by any but the most ignorant and the most prejudiced in this country.

"First of all Lord Sydenham is no authority on the subject of the United States, merely because he was Governor of Canada, and never in the Union at all. Had he remained in London he would have been as well qualified to judge of those States, as his living near them for two years could make him; nay, a great deal better; for his residence in Canada, without giving him one tittle more of information, had the manifest tendency to fill his mind with Canadian prejudices; and these views seem to gain a still greater ascendant over him by the disputes of a border nature, in which he was involved. I should, during the separation of England and Scotland before the seventeenth century, never have looked to the warden of the West Marches for a candid account of the people on the Scotch border when he lived at Carlisle. But had the warden directed his hostile operations from York or from Lincoln, I should have believed him just as ignorant as if he had lived in London, and a very great deal more prejudiced.

"Next, let us observe how little the Governor-General had studied constitutions when he assumes the office of deciding on their comparative merits. It would not be easy to crowd more manifest errors into one sentence than are found in the few lines about ancient republics. Many things respecting those systems are obscurely known, and are therefore the subject of controversy; but no one ever affected to doubt of the matter on which this strange sentence errs, and errs dogmatically. Sparta is of course alluded to by the mention of helots; but Sparta was not a republican, it was an aristocratic government. Then Athens, which was a republic, so far from proving that such a government 'could answer,' is precisely the example always resorted to in order to prove what Lord Sydenham states to be the vice of the American government as contrasted with the Grecian, namely, the statesmen 'pandering to the passions of the people.' Yet, this notwithstanding, can any one say that Athens, the very seat of this worst of vices, was by it 'made unbearable to a man of any education?' Does he conceive that any of us, even in Canada, are more refined, more civilised, more educated, than the ornaments of Athenian society, the very men who were fain to court the people? It is another error equally great to make it the peculiar characteristic of the modern republic, and the feature that distinguishes it from the ancient, that the 'people really had the power.' In Athens, if anywhere, they really had the power; we are only left to speculate on the restraints under which it was exercised, and even to doubt if any such existed in practice. But assuredly the bulk of the power was in their hands more than in any other democracy, ancient or modern.

"That in the American government there exist great imperfections

no man can doubt; one among the greatest has lately been removed, because the central power of the Federacy is now enabled better to maintain its relations with foreign states in consequence of the recent improvement of the constitutional law. But there remain blots which still disfigure the system. Of these the very worst, undoubtedly, is the entire change of public functionaries, from the highest to the lowest, which follows every change of the president, converts all the more considerable members of the community into place-hunters, and makes the whole interval, between one election of chief magistrate and another, a constant scene of canvass. The removal of this, and a few other imperfections, would make the government of America as faultless as a very popular system can ever be. That some and even considerable evils would be left, evils inseparable from a republic, because growing out of the large share assigned to the people in the distribution of power, cannot be doubted. But it is no discovery of Lord Sydenham's, that, as long as men are men, power and pre-eminence will be sought after; and that if the power of bestowing these is vested in the people, the people will be courted by those who seek after them.

"We are upon a practical, not a speculative question; and that question is not as to the impossible attainment of theoretical perfection, but as to the comparative merits of different schemes of polity. Power must rest in some part of the community. Patronage must immediately or ultimately rest with them that have the power. Shall they be the people at large? No, says Lord Sydenham; for if the people are to choose their ministers, they who would fill ministerial places will debase themselves by pandering to the people's prejudices. But what if we entrust this delicate office to a court or a prince, for the purpose of making the duty be more uprightly discharged, and exalting the character of the candidates for favour? Are we so blinded by the evils of popular canvass as to have all of a sudden forgotten that other time-serving, that old species of fawning, that worse form of flattery, which the friends of freedom and of purity used to charge upon the parasites of princes, the crew of courtiers, the minions who pander to the propensities, not of the people, but the despot? Then shall power and patronage be vested in a patrician body, in a class of men whom 'a man of education' might well find 'unbearable?' The class fawned upon would here no doubt be found more refined in its tastes, and must be propitiated with more dainty flattery. Yet I question if the fawning would be less active, if the suppleness of the candidate for favour would be less pliant, if the senator would be less given to cringe, than they who, instead of crawling in the ante-room of the noble, after a more homely fashion take the hand of the peasant and the mechanic. I greatly doubt if less falsehood will be found in the smooth speeches addressed to the select patrician circle, than in the boisterous harangues delivered to win the plebeian. One ground of my doubt is the recollection which we all have of the scenes of endless intrigue

and wide-spread corruption displayed by the aristocratic courts of modern Italy, to say nothing of ancient Rome in her more patrician days; and another ground of my doubt is precisely this, that men are more prone to practise deception in secret than in public, and therefore more likely to use unworthy acts in the closet, the appointed scene of intrigue, than on the hustings, from whence the grosser species of intrigue, at least, must for ever be banished.

“And here is furnished a very striking proof of the entire carelessness with which this political reasoner made his observations upon America, and formed his opinions respecting her people. He plainly affirms of all statesmen in the United States, that ‘their only objects are speculation and jobbing;’ and their means of being enabled to speculate and job are ‘the basest flattery of the people.’ Now surely a very little reflection would have sufficed to satisfy any considerate person that this charge is wholly impossible. The existence of such violent party divisions, and the publicity with which every department of government is administered, make speculation impracticable. They might as well be charged with ‘compassing and imagining the death of the King.’ It is an offence which in such a country can have no existence. But this manifest error into which the writer has fallen, while it shows the strength of his prejudices against the Americans, proves also the weakness of his means of annoyance, and it is a sufficient answer to much of his general invective.

“As to the standing topic of vulgar manners, let it be fairly stated that there are many parts both of France and England to which we should not think of resorting were we in quest of patterns of polished manners. Even while representing Manchester, Lord Sydenham would hardly have cited the bulk of his constituents as superior in elegance to the people of New York. But an authority fully as high as himself on this delicate matter, M. de Lafayette, would have severely chid him for underrating even the manner of the Americans; and if, after such an authority, any further defence were required, two facts may be mentioned. Sir R. Liston declared that he had never conversed with a better bred sovereign in any court of Europe than General Washington; and among the women of the highest breeding in our day, no one would hesitate to mention Lady Wellesley. They who have never been in the United States may surely be pardoned if they feel unable to believe the notion entertained by others, who, like themselves and Lord Sydenham, have also never been there, but who would yet assume General Washington and Lady Wellesley to be the only persons of fine manners ever produced in the Union.

“It is however, not avowedly on the score of their under-breeding that the Governor-General rests his dislike of the Americans. On the contrary, he rather seems disposed to pass that head of complaint lightly, though it is plainly enough at the bottom of many feelings upon the subject. His main accusation is the mob tyranny, and the habit of their public men quailing before it. No doubt a

certain degree of this evil is inseparable from every popular Government. Who in Ireland dares profess any opinion hostile to the Romish hierarchy throughout three of the provinces, or favourable to it in the fourth? Who in 1831 was safe in England if he proclaimed his dislike of the Reform Bill? What public meeting has any moderate liberal politician ventured to hold of late years? Have not even the Corn-law repealers been fain to raise the popular cry of cheap bread, in assemblies collected by tickets, and from which the multitude were carefully excluded? We may not go so far as the Americans in humouring the popular cry of the hour when we address our constituents, because our government is less purely popular than theirs; but can any one doubt that the speeches of our political chiefs—ay, and even their measures when in office—take the tincture of the multitude to whom they are addressed, and whose favour they are expected to conciliate? If this be denied, we may require to be informed what Lord Sydenham precisely means, when, adverting to the free-trade measures respecting timber, sugar, and above all, corn, in 1841, he says,—‘It is an immense point gained to get a new flag under which to fight. The people of England do not care a rush for any of your Irish hobby-horses; and they are not with you upon Church matters or grievances of that kind. Even your foreign policy has not touched them the least, and I doubt whether twenty victories would give you a borough or a county; but you have now given them an intelligible principle, offering practical benefits to contend for, and though defeated on it, as you doubtless will be, defeat will be attended with reputation, and will make you, as a party in the country, far stronger than you have been of late.’ (P. 90.) Now it is to be observed, that the preference here given to the Corn Bill over the Irish Church Reform, and the other measures, is not rested on the relative merits, but solely on the relative popular tendency, of the different plans, their capabilities as ‘flags to fight under;’ and the Corn Law is preferred because it is a better Shibboleth. No doubt Lord Sydenham would have a right to urge that he had always maintained the free-trade doctrine for its own sake; but why will he not allow American statesmen also to prefer their several tenets for their own sakes? Suppose he had found a letter from Mr Stevenson to a South Carolina friend, maintaining that some proposition for preventing anti-slavery petitions from being received by Congress was a fine ‘flag to fight under,’ ‘offered an intelligible principle to contend for,’ and, though defeated, would make the Virginian ‘party stronger than it had of late been,’ how little would it have availed to urge that Mr Stevenson had always held the same opinions! How triumphantly would Lord Sydenham have pointed to this letter as a confession that American statesmen frame their conduct upon the plan of pandering to the tastes and passions of the multitude! And would it have been deemed an answer to his inference, if it had appeared that the party proposing this extreme course had never thought of it for ten years which they

had passed in office, but merely brought it forward when all other means of obtaining influence had failed, and when their fortunes among the constituent bodies of the country were become desperate?

"But these are possibly extreme cases. Are there no other instances, even in our own better-regulated system, so much less disfigured by popular excess than the American; no instances of public men shaping their conduct and their speeches according to the opinions and feelings, or even the tastes and caprices, of the people, either generally or locally? Surely common fairness towards the Americans required some consideration of the tone taken in our own election addresses, of the speeches made on our own hustings and at our public meetings, of the differences between these and the parliamentary speeches of the same individuals, nay, of the well-known difference between the conduct of parliament itself, during its first and its last session. What minister ever ventured to propose a civil list on the eve of a general election?

"The arts to which our attention is directed by these remarks are in the highest degree discreditable to all who use them, and are incalculably hurtful to the people upon whom they are practised. If they are to a certain extent inseparable from a very popular government, their mischief forms a serious deduction from the merits of that system. To restrain them within the narrowest possible limits is the bounden duty of all statesmen, but most especially is it the duty of those who maintain the superior advantage of a popular constitution. Then, above all others, it behoves not to lower the character of popular men, not to corrupt the people themselves; for it must never be forgotten that the flattery and the falsehood which taint the atmosphere of a court, the poison which tyrants inhale with their earliest breath, cannot with impunity be inspired by the people.

"After all, in estimating the merits of any government, we must never lose sight of what is the end of all government—the comfort and happiness of the people. It may safely be admitted that if a scheme could be devised for embodying a legislature of wise, virtuous, and enlightened men, with an executive council of capacity, integrity, firmness, removed from popular control, animated with the desire of furthering the public good, and consulting, in the pursuit of it, no will or authority but their own chastened judgment, a much purer and more noble government would be constituted than any that owes its origin to the public choice, and acts under the people's superintendence. But, unhappily, experience has proved that any legislature, and any executive body, removed from all control, soon forgets the object of its creation; and instead of consulting the good of the community at large, confines all its exertions to furthering its own individual interest. So it must ever be until we are blessed with a descent of angels to undertake the management of our concerns. Till then there is but one security for the community—a watchful superintendence and an efficient control over its repre-

sentatives and rulers. The experiment may be coarse and clumsy ; it may be attended with evils of a very serious kind ; it may give rise to an unfortunate influence being exercised by classes of the people who are neither very refined nor always very honest, nor even very well informed as to their own interests. Nevertheless, as human society is constituted, in the choice of evils this is the least ; it admits of many compensations ; it gives the prospect of much diminution as knowledge and as virtue advance ; whereas any system that excludes the popular voice must needs lead to a thralldom and to abuses which admit of no compensation, and instead of wearing out in time, only gather strength and acquire increased malignity with every year that revolves.

"The worst of all the features in the Union, Lord Sydenham has no doubt passed entirely over — the disgraceful prejudices against Negro Emancipation. But even these may yield to circumstances, and give place to more rational as well as more humane views of national policy, provided a free government continues to bless America, and no catastrophe happens to destroy the Union. Lord Sydenham indeed is thoughtless enough to view with a kind of exultation the prospect of negro insurrection as a consequence of the United States daring to wage war with England. Misguided, short-sighted man ! and ignorant, oh, profoundly ignorant of the things that belong to the peace and the happiness of either colour of the New World ! A negro revolt in our islands, where the whites are as a handful among their sable brethren, might prove fatal to European life ; but the African at least would be secure, as far as security can be derived from the successful shedding of blood. But on the continent, where the numbers of the two colours are evenly balanced, and all the arms are in the white man's hands, who but the bitterest enemy of the unhappy slaves could bear to contemplate their wretchedness in the attempt by violence to shake off their chains ? Then again, he feels quite confident that the Northern States must be utterly defeated, and easily defeated, as soon as they draw the sword against England. Possibly ; and yet this inference has not been very logically drawn by Lord Sydenham from the history of the former American War. When the people of the Colonies numbered less than three millions, they defeated the best troops of England, possessed as she was of all the strongholds of the country, and sweeping the ocean with her fleets, before the imperfect republic had a flag floating upon the seas. That twenty-four millions with entire possession of the land, and a formidable fleet at sea, should be overwhelmed by the Canadians and Nova Scotians, is certainly a possible event ; but that it is as much a matter of course, as the Governor of these petty settlements complacently assures himself, may reasonably be doubted. Nay, it seems barely possible that some notion should creep into the minds of the Americans as that a war might lead to the very opposite result of Canada joining with the United States, and forming an additional member of that great Confederacy.

"They, however, who are the best friends of both countries, must be the least willing to indulge, on either side, in such speculations. The Americans will, it is to be hoped, not be tempted to form such pernicious projects by any notion of a hostile feeling towards them prevailing in this country. They may be well assured, that far from regarding their government as 'a bubble,' and trusting that it soon may burst, the universal sentiment in England is the hope that it may long continue to establish the proud spectacle of popular freedom, and even popular power, combined with order at home, and moderation abroad, in successful refutation of all the old opinions, that a republic was impossible in a large territory with a numerous people."

ART. V.—1. *Report from the Select Committee of the House of Commons on the State of the Coal Trade, together with the Minutes of Evidence.* 1836.

2. *Report of the Commissioners on the Employment of Children in Mines and Manufactories.* 1842.

3. *The History and Description of Fossil Fuel, the Collieries, and the Coal Trade of Great Britain.* By the Author of a 'Treatise on Manufactures in Metal.' Second Edition. Whittaker. 1842.

4. 5 and 6 Victoria, c. 99, entitled 'An Act to prohibit the Employment of Women and Girls in Mines and Collieries, to regulate the Employment of Boys, and to make other Provisions relating to Persons working therein.' August 10, 1842.

BEFORE the discovery of coal, wood was the general fuel. The abundance of wood in the early ages, and its extremely combustible qualities, rendered it both the most economical and the most desirable material for fuel, and it has been more or less in use among all nations down to the present time. In those countries, and in those districts of country where wood was less abundant than in others, dry turf would be used for the purposes of fuel, as is the case in many parts of Scotland and Ireland at the present day. In some instances these two materials are used together, that is, fires are supplied with fuel composed partly of turf and partly of wood. In some instances also, wood and turf are used in conjunction with coal. 'As an article of fuel, however, coal, from the abundance in which it can be obtained, and the peculiar qualities it possesses, which render it the most economical and best adapted, both for domestic con-

sumption, and for the purposes of manufacture and the advancement of the arts and sciences hitherto discovered, has become of such general and extensive use that the trade in coal is now one of the staple trades of many parts of the United Kingdom, and therefore every inquiry relating to the rise, progress, present state, and prospects of the coal trade must be of interest to all classes: to the geologist, the political economist, the merchant, the manufacturer, the ship owner, and the householder.

In following out these observations it is proposed to treat—

I. OF COALS IN GENERAL.

II. OF BRITISH COALS.

III. OF THE IMPORTANCE OF THE COAL TRADE.

IV. OF THE PROSPECTS OF THE COAL TRADE.

I.—OF COALS IN GENERAL.

1. THEIR GEOLOGICAL FORMATION.—Coals have been defined to be “solid, dry, opaque, inflammable substances found in large strata, splitting horizontally more easily than in any other direction; of a glossy hue, soft, and friable; not fusible, but easily inflammable, and bearing a large residuum of ashes.”

They are classed by geologists in the secondary systems of stratified rocks in the crust of the earth, and under these secondary systems of strata they are included in the carboniferous system. Six substances are interstratified in the carboniferous system; arenaceous, argillaceous, and calcareous rocks form the principal masses, and are associated with beds of chert, ironstone, and coal. Coal lies always in beds, and its quality varies from nearly pure carbon to a consumable mixture of carbon, hydrogen, oxygen, and azoté, and it is often mixed with layers of woody fibre like charcoal, and laminæ of earthy matter. The entire mass of varied strata in the carboniferous system, of which coal is one, affords decided proofs of aqueous deposit. The forms of life buried in these strata are exceedingly numerous, and consist of many traces of plants, abundance of zoophytæ, multitudes of mollusca, some crustacea, and many fishes. The greater number of these plants are of terrestrial growth, while all the zoophytæ, and almost all the mollusca, crustacea, and fishes are marine. The coal seams are actually composed of accumulated remains of these plants, and one cause of the difference of these seams is the different structural composition of the original plants. The most probable view that has yet been entertained is, that the plants forming coal were, with the arenaceous, and argillaceous substances, swept into the sea by inundations from the land, and subsided into strata on the bed of the sea. Forests or peat mosses thus submerged might be compressed into coal, and covered by inun-

dated sediments. The plants do not appear to have been carried to a great distance into the sea, but to have been lodged in estuaries where shells of fluviatile genera might exist. A striking similitude in modern times of the processes by which it is supposed an old coal formation was produced, is afforded by the accumulations of timber and various sediments at the mouth of the Mississippi. To assist our conception of these coal formations, we have only to reflect upon the damp and extensive forests on the Oronoko, Maronon, or Mississippi, from whose dense wastes the mighty waters roll year after year to the Atlantic an astonishing mass of trees and plants, soil, sand, and clay, which in process of time are deposited upon the bed of the ocean in the same form and manner in which we now find coal with its layers of sand and clay. Geologists appear quite agreed that inundations from the upraised land, littoral action of the sea, chemical decomposition of the oceanic waters, eruptive action of subterranean heat, vital action on the land and in the water, are the causes to which the formation of the entire carboniferous system is traceable: and that the surface of our globe since ancient time has undergone changes, by which mountains have been depressed, plains elevated, and the bed of the ocean thrown up for the habitation of man.

2. *THE GREAT LINE OF COAL.*—The great general line of coal seems to sweep round the globe from north-east to south-west, ranging at no great distance from the south-easterly part of our island, as is generally imagined, and visiting Brabant and France, and yet avoiding Italy. There is in fact no bed of this mineral in the whole compass of Italy. The surface of country occupied by the rocks of the carboniferous system is proportionally much larger in the British islands than in any other parts of the globe. It is variously and locally developed in France, Belgium, Westphalia, Saxony, Bohemia, and on the north of the Carpathians. One of the most important deposits of coal begins at Hardingen, near Boulogne, and passing under the chalk and green sand, continues in an easterly direction by Valenciennes, Mons, Charleroi, and Namur, to Liege and Eschweiler, near Aix-la-Chapelle. On the right bank of the Rhine the coal track near Elberfeld may be considered a continuation of this great Belgian deposit. Some traces of millstone grit and of aluminous shales divide the coal from the limestone in the valley of the Meuse, and also in Westphalia, at Lintdprf, and between Werden and Velbert. The Saarbruck coal field contains thick red stones in its upper part, and the same appearance on a greater scale is exhibited in Lower Silesia. In Upper

Silesia the coal rests on grauwacke. The coal in Saxony, about Zwickau and Dresden, rests on igneous rocks. At Litley, near Bayeux, and between Angers and Nantes, coal is to be found; and in the centre and south of France are some limited coal deposits in the valleys of the Loire, the Allier, the Creuse, the Dordogne, the Aveyron, and the Ardèche, between ridges proceeding from the primary central group connected with the Cevennes. Coal is mentioned as occurring in eight places in Catalonia, in three in Aragon, and one in New Castile; in the provinces of Tula and Kaluga, and the country of the Don Cossacks in Russia; in Syria; in the basin of the Indus; at Batavia; in China; in Van Diemen's Land, and New South Wales. In Virginia, and in several parts west of the Alleghany mountains, there are extensive coal fields.

3. DESCRIPTION OF THE COAL STRATA.—As already mentioned, coal is found in beds, strata, or layers, which distinguish the carboniferous or secondary system of our globe. The coal formation consists of a mass 1,000 yards or more in thickness, composed of indefinite alternations or layers of shales and sandstones of different kinds, with about fifty feet of coal in many beds, some ironstone layers, and occasionally, though rarely, thin layers of limestone. The composition of this mass, or coal formation, is more or less modified in different countries, and in different parts of the same country. Some of these strata are of considerable thickness, being often from 100 to 200 feet or upwards, nearly of the same kind of material from the superior to the inferior surface: others are of the least possible thickness, sometimes not more than one inch, or even less. These strata are all divided or parted from each other laterally by their even, smooth, polished surfaces, with very thin lamina of soft or dusty matter between, called the parting, which renders them easily separable; or by the surfaces closely conjoined to each other, without any visible matter interposed between them. The different substances of the strata are not in the least intermixed, although they sometimes adhere so strongly that it is difficult to part or disjoin them. In this last case they are said to have a bad parting. Besides this principal division or parting laterally, there are in some strata also second divisions or lateral partings, but these are not so strong or visible, nor do they afford so effectual a parting as the principal ones, and are only met with in strata that are not of a uniform hardness, texture, or colour, from the upper to the lower surface. There are also other divisions or partings, in almost every stratum, called backs. These cross the lateral ones longitudinally, and cut the whole stratum through

its two surfaces into long rhomboidal figures. These again are crossed by others, called cutters, that run in an oblique or perpendicular direction to the backs, and cut the stratum through its two surfaces. These backs and cutters generally extend from the upper or superior stratum down through several of the lower ones, so that by means of these backs and cutters, and the lateral partings, every stratum is divided into numberless cubic, prismatic, and rhomboidal figures, according to the position of the stratum, and the number of backs and cutters. The soft strata have generally more of these divisions than those that are harder. The regularity of the coal strata is also frequently interrupted, broken, and disordered, by slips, chasms, breaches, or fissures, to which different names have been given, according to their various dimensions, and the matter with which they are filled,—as tilikes, faults, hitches, troubles. Dikes are the largest fissures, and signify a breach or crack in the solid strata, occasioned by one part being broken away, and having fallen from the other. They generally run in a straight line, and penetrate from the surface to a great depth, sometimes perpendicular to the horizon, sometimes oblique. They are sometimes two or three feet wide, sometimes many fathoms. If it is a great width, it is usually filled with matter different from that of the solid strata on each side. If the dike runs or stretches north and south, and the same strata are found on the east side of the dike, in a situation as regards the horizon, ten or twenty fathoms lower than on the other side, it is then said to be a dip-dike, or downcast-dike, or slip of ten or twenty fathoms to the eastward; or, calculating from the east side, it is said to be a rise-dike, or up-cast, of so many fathoms to the westward. If, however, the strata on each side are not much higher or lower with respect to the horizontal line, then the intervening substances are said to form a dike of so many fathoms thick, and according to the materials of which it is chiefly composed, it is said to be a clay-dike, a stone-dike, or any other description of dike. A hitch is a dike or fissure of smaller degree, by which the strata on one side are not elevated or separated from those on the other side above one fathom. It is distinguished in the same manner as a dike, according to the number of feet by which the strata are elevated or depressed. Troubles may be called dikes of the smallest degree. They are not, in fact, a real breach, but only display a tendency of that kind. When the regular course of the strata is nearly level, a trouble will cause a sudden and considerable elevation or depression. A trouble also greatly debases the strata from their original quality; the partings are separated; the backs and cutters disjointed; and their regularity so much disordered, that the original cubic and

prismatic figures are broken ; the dislocations filled with various matter, and the whole strata reduced to a softer and more friable state. The strata seldom or never run in a direct horizontal line, but generally have an inclination or descent, termed the dip, to some particular point in the horizon. If this inclination is to the eastward, it is called an east-dip, and a west-rise, and otherwise if in a contrary direction. This inclination or dip of the strata exists everywhere. In some situations it varies very little from the level, in others very much. The strata generally continue upon one uniform dip until broken or deranged by a dike, hitch, or trouble, in which event the dip is often altered, sometimes to a different part of the horizon, often to an opposite point. Some strata are found to increase, others to diminish in thickness, while others again remain of a uniform depth. The coal strata do not lie upon each other in any certain and unvarying order. There may be the same kind of strata in one colliery or district as in another, but they may be of different thicknesses. In some districts there are most of the hard kinds, in others most of the soft. It rarely happens that all the various kinds are found in the same district ; some kinds occur perhaps only once or twice, while others occur ten or twenty times before the principal coal stratum is met with.

4. MODE OF SEARCHING FOR COAL.—In searching for coal in a previously unexplored district or country, the appearance of the outward surface affords no certain indication or infallible rule regarding the strata lying beneath, although to a scientific person it may afford such evidences of the probable existence of coal as may lead him to institute an active search. Thus it is generally found that a chain of mountains or hills rising to a great height, and very steep on the sides, is composed of strata harder and of different kinds from those in which coal is found, and therefore unfavourable to the production of coal. These mountainous districts are also more subject to dikes and troubles than the lower grounds, so that even if the solid strata of which they are composed gave favourable evidence of the existence of coal, the quality would be bad, and the quantity precarious. Mountainous districts are indeed usually found more favourable to the production of metals than of coal. Those districts that abound in valleys, small rising hills, interspersed with plains sometimes of great extent, more generally contain coal, and those kind of strata most favourable to its production, than districts entirely mountainous or campaign. Plains and level grounds of great extent, situated by the sides of rivers, or between moderately rising ground, are very favourable to the production of coal, if

the solid strata, and other circumstances in the high grounds adjoining are of a corresponding description. In such situations the strata are seldom found favourable in the rising grounds on both sides of the plain, and not equally so in the intermediate ground.

The district where coal is supposed to lie having been selected, the next process in the investigation is to examine all places where the solid strata are exposed to view, which are called the crops of the strata, as in precipices and hollows, tracing them, as accurately and gradually as circumstances will allow, from the upper stratum or highest part of the ground to the very lowest. It is necessary to note down the appearances of the different strata, the order in which they lie upon each other, the point of the horizon in which they dip or incline, the quantity of the inclination, and whether or not these strata lie in a regular state or order. This is done in every part of the ground where the stratum can be seen, in order to trace if a stratum can be found in one place that has a connexion with some other in a second place, and that with another in a third, so as from the correspondence of these separate connexions, the position of the strata may be understood, and those strata which in some places are covered, may be known from their correspondence with those exposed to view. If in this way, however, the correspondence of the crops of the strata cannot be sufficiently discovered, an examination is then made of all such springs of water in the district as are of a mineral nature, particularly such as are known by the name of iron water, which precipitate a mud or sediment of the colour of rust or iron, having a strong astringent taste. These springs proceed originally from those strata that contain beds or balls of iron ore. The coal stratum is the general reservoir of these, as the ironstone being lodged in different kinds of shiver, and the coal being usually connected with some of them, the water descends into the coal, where it finds a ready passage through the open backs and cutters. It is easy to distinguish whether or not the water runs from a bed of coal, as in such a case the ochery matter in the water is of a darker rusty colour than when it proceeds from any other strata, and often brings with it small particles or pieces of coal. Thus when these circumstances concur in a number of these springs, situated in a direction corresponding to the stretch or inclination of the strata, there can remain no doubt that the water runs off coal, and that the coal is in a higher situation than the apertures of the spring. Other springs run from coal that are not distinguishable as such except by their astringency, and their having a blue scum of an oily or glutinous nature floating on the surface. These, like the others, also bring down particles

of coal, particularly in rainy seasons. If all these means of judging as to the probable existence of coal are not sufficiently satisfactory, those portions of the ground may be carefully examined where the outer surface has been turned up by ploughing, ditching, or digging, particularly in the low grounds, and by the sides of streams. If any pieces of coal are found intermixed with the substance of the superior loose strata, and these are numerous, and in detached pieces of a firm substance, with the angles perfect, or not much worn, and the texture of the coal distinguishable, the stratum of coal to which they originally belonged is then at no great distance, but in a higher situation as respects the horizon. If there be also found along with these pieces of coal other mineral substances, such as pieces of shiver or freestone, this is also a proof that they have come from no great distance. If the places where these pieces of coal are found are situated lower than the springs, this circumstance, taken in connexion with the other two, amounts almost to a moral certainty that a stratum of coal exists a little above the level of the springs. If, however, these pieces are only found sparingly scattered about, and if the angles are obtuse or much worn, and very little other mineral matter is connected with them, then it may be concluded that the stratum of coal from which they have been brought is situated at a greater distance than in the last case, and therefore by searching, and a careful comparison of these particulars, that place may be found with perfect certainty. No district, however, need be searched for coal where these indications of its probable existence are not to be found in more or less abundance.

II.—OF BRITISH COALS.

1. DISCOVERY OF COAL IN BRITAIN.—The merit of the discovery and use of coal as an article of fuel, and its subsequent application to the advancement of the arts and manufactures, is entirely due to the inhabitants of Britain. It is generally agreed that what is called our cannel coal is the *lapis ampelites* of the Romans, and was used by them only for making toys, bracelets, and other ornaments; but of the common fuel which we denominate coal, the Romans appear to have been entirely ignorant. The primitive Britons seem to have used coal; and in the neighbourhood of Manchester particularly, which is furnished with an extensive supply, they could not long remain ignorant of its combustible quality. The rivers and streams in that district frequently bring down fragments of coal from the mountains, and in their long circuitous course it may be reasonably supposed that the Britons would soon discover the shining stones in the chan-

nels, and by accident or reflection find out their use. Several pieces of coal were discovered in the sand under the Roman way at Ribchester, when both were dug up at the construction of a house in Quay street. The number of pieces, many of them as large as eggs, was not less than forty, and a quantity of what is called slack or very small coals was dug up along with them. These coals must therefore have been deposited in that spot before it was covered by the road made by the Romans. That ground being in the neighbourhood of *Manconion*, or the Place of Tents, an ancient British town, the site of which was the present Castlefield at Manchester, the Britons had there deposited a quantity of coals, probably for the use of the garrison. Many of the smaller fragments and some of the slack were buried in the sand on which they were laid. That the Britons were acquainted with this fuel is inferred from its appellation at present in common use, which is not Saxon but British, and subsists among the Irish in their *o-gual*, and among the Cornish in their *holan* to this day. The extensive beds of coal with which England is stored were probably first discovered by the skill, and opened out by the labour, of the Britons before the invasion of the Romans, and the quarries in the confines of Bradford, Newton, and Manchester would, it is supposed, naturally attract the notice and inquiries of the Britons in preference to any others. The current of the Medlock, which washes the sides of these beds of coal, would bring down specimens of its subterranean wealth, and allure the Britons to a collection of the one, and a search after the other. Wood, however, continued to be the principal article of fuel for ages after the discovery of coals. In 852, a grant of some land was made by the Abbey of Peterborough under the reservation of certain boons and payments in kind to the monastery, among which are specified one night's entertainment, ten vessels of Welsh and two of common ale, sixty cart loads of wood and twelve of pit coal, so that at that date the quantity of coal was only one cart load to five of wood. Wood naturally continued the principal article of fuel as long as the forests and thickets were extensive and of easy access, and this was the case up to a very late period. The first public notice of coal is stated by Hume to have been in the time of Henry III, who in the year 1272 granted a charter to the town of Newcastle, giving the inhabitants a licence to dig coals; and the first statute relating to that article was the 9th of Henry V, cap. 10, ordaining all keels in the port of Newcastle to be measured by commissioners before carriage of coals, on pain of forfeiture. They were not brought into common use until the reign of Charles I, and were then sold for about seventeen shillings a chaldron.

2. THE COAL FIELDS OF GREAT BRITAIN AND IRELAND.—

The great coal field of Britain is composed of numerous subordinate coal fields, and crosses the island in a diagonal direction, the south boundary line extending from near the mouth of the river Humber on the east coast of England, to the south part of the British channel on the west coast. The north boundary line extends from the south side of the river Tay in Scotland, westward by the south side of the Ochil hills to near Dumbarton, on the river Clyde. Within these boundaries are included North and South Wales. The coal formation of Northumberland and Durham, it is stated by Mr Phillips in his 'Treatise on Geology,' extends from the Coquet across the Tyne, Derwent, and Wear, to Cockfield, where it suddenly breaks off, and ends against the valley of the Tees; and no more appears between the magnesian limestone and the millstone grit till the south side of Wharfedale. Here, from Aberford to Bradford it runs out in a counterpart of the Durham recession, and then returns by Halifax and Huddersfield to Sheffield, Dronfield, Chesterfield, Alfreton, and Belper, and ends near Nottingham. On the western side of the Cambrian mountains is a narrow belt of coal formation about Workington and Whitehaven; a small field of coal lies at the foot of Ingleborough, corresponding to one at Hartley Burn on the South Tyne. The coal deposits of Lancashire form a considerable breadth, ranging east and west from Manchester, by Prescot and Wigan to near Liverpool, and appear to be connected underground with the coal tract of Flintshire, and perhaps of Shrewsbury. The detached coal fields of Ashby de la Zouch, Coventry, Dudley, and Colebrook Dale, are very valuable; some smaller fields are known south of Shrewsbury, in the Clee hills, and at Newent. The Forest of Dean is a rich though small tract, and the disunited patches of coal in Kingswood and south of Bath Avon are valuable. Almost the largest coal field in Great Britain is the great oval elongated tract of South Wales, from Pontypool to St Bride's bay. It is considered probable that the coal fields of Yorkshire and Lancashire were at one time united as those of Durham and Newcastle still are.

"The coal districts in the east of Scotland," it is stated in the 'Report of the Commissioners on the Employment of Children,' "encircle the Frith of Forth in tracts of very irregular form, occupying large portions of the counties of East Lothian, Mid Lothian, and West Lothian, of Stirlingshire and part of Dumbartonshire, of Clackmannanshire, and Perthshire; and of Fifeshire, in the district of Dunfermline, Kirkcaldy, Cupar, and St Andrews. The coal of the whole of these districts is extensively wrought, chiefly for land sale to Edinburgh and the surrounding counties, though partly for ship-

ment coastwise, and for the celebrated ironworks of the Carron Company in Stirlingshire. Lanarkshire, Ayrshire, and Renfrewshire comprise nearly the whole of the irregularly scattered coal fields of the west of Scotland, and their mines have been chiefly wrought like those of Lanarkshire, for the supply of the manufactures, and of the great manufacturing and commercial population which have seated themselves on their surface or in their vicinity, with Glasgow for a centre; but of late years the district of Airdrie, to the east and south-east of Glasgow, has so rapidly extended its importance in the manufacture of iron from the excellent ores there found, as greatly to have augmented the working of its coals for that purpose also."

Regarding the coal fields of Ireland, it is stated in the same Report:—

"Of the comparatively unimportant coal fields of Ireland, the principal are those of Castlecomar in Kilkenny and the Queen's County, where pits are worked for country sale by three proprietors; that near Killenaule, in the county of Tipperary, where there are three pits worked by the Mining Company of Ireland; and that of Dromagh and Dysart, in the county of Cork, where there are pits worked by Messrs Leader. There are also a few pits at Drumglass and Coal Island, in the county of Tyrone, which with the Arigna coal pits at the northern extremity of Roscommon, supplying some contiguous iron works, complete the list of the Irish coal mines which are now worked."

Every coal field in Britain is found to be remarkably dislocated by faults, often traversed by rock dikes, and sometimes ridged or furrowed by anticlinal or synclinal dips. One of the most remarkable faults known is that which stretches from Cullercoats, near Newcastle-upon-Tyne, westward along the valley of South Tyne to Brampton, thence southward to Brough, Kirkby Stephen, Dent, and Kirkby Lonsdale, and thence eastward to near Grassington in Wharfedale, a distance of one hundred and ten miles. On the south side of the Craven branch of this great fault are many anticlinal ridges, ranging nearly north-east and south-west, and throwing the whole Craven country into a series of parallel undulations. An axis runs through Derbyshire from which the rocks dip or incline east and west, and this ridge, continued north towards Colne, effects an entire separation of the great coal field on the east—that of Yorkshire, Derbyshire, and Lancashire—from that on the west—Lancashire and Cheshire, which it has been considered probable were at one period united by the bed of the sea. The great South Wales coal field is an immense double trough, with an anticlinal axis ranging east and west.

3. QUALITIES AND ESTIMATED SUPPLY OF BRITISH COALS.—Mineralogists have divided coals into three great classes: black

coal, unflammable coal, and brown coal, and each of these into several subordinate species. The common coals, such as slate coal, foliated coal, and cannel coal, belong to the black coal class or family. Slate and foliated coal abound in Durham and Northumberland, at Whitehaven in Cumberland, and on the banks of the Forth and Clyde. The best Newcastle coal is easily kindled, cakes or runs together in a solid mass while burning, throws out a great heat as well as smoke and flame, and leaves a dark-coloured residuum or ashes. The Scotch coals are chiefly distinguished as open burning coals; they are not so durable as the Newcastle coals, afford less heat, do not run together in burning, and leave a large quantity of light white ashes. Cannel coal is to be met with in the Newcastle pits, in Ayrshire, and other places, but the largest seams and best descriptions of it are to be found near Wigan in Lancashire. It burns with a clear flame, throws out a great deal of light, but not much heat. As it takes a good polish, articles made of it are often passed off for pure jet. The Welsh culm or stone coal, Kilkenny coal, and the blind or deaf coal of Scotland are distinguished as unflammable coals, and derive their names from the difficulty with which they are kindled. When thoroughly ignited they burn for a long period, make a hot glowing fire like charcoal, without flame or smoke, but from their noxious vapours are unsuited for domestic purposes. Brown or Bovey coal is so called from being found chiefly at Bovey near Exeter; it is light, yields little heat, and is seldom used as fuel.

It has been estimated that about seventy species of coal are imported into London, forty-five of which are obtained from Newcastle.

According to the estimate of Mr Taylor, coal owner and colliery agent to the Duke of Northumberland, the coal fields of Durham and Northumberland are capable of furnishing their present annual supply of coals for 1,700 years. This estimate has, however, been impugned by Professor Sedgwick and other talented men, who consider it to be exaggerated about one half. In the opinion of Dr Buckland, the geologist, the coal beds in South Wales are alone sufficient to supply the whole present demand of England for coal for 2,000 years after all our English coal mines are worked out.

4. OF BORING FOR, WINNING, AND WORKING THE COAL.—The ground where coal is believed to exist having been selected in some district within a few miles of the sea, or as near as possible to some navigable river, the depth and position of the coal is ascertained by boring. Although it be known or believed that

the coal extends through the whole ground, yet it is necessary, by boring three or more holes, to determine in what direction it dips or inclines, and whether there are any accidental turns or alterations in the dip, before proceeding to more extended operations. The chief part of the art of boring is to keep the hole clean and observe carefully every variation of the strata. By boring a knowledge is obtained of the depth at which the coal lies, and also of its exact thickness, hardness, and quality;—whether it is a close or open burning coal, and whether it contains any foul or impure mixture. By the same means the thickness and other peculiarities of all the superincumbent strata are also ascertained, and from the quantity of water met with in boring, some idea may be formed of the size of the engine that will be required to draw it off, where an engine is necessary. When the existence of the coal is to be ascertained by boring in this manner, it is usual to fix upon such situations as may best suit the places where pits are afterwards to be sunk, as by this method much expense is saved.

When the existence of the coal has been determined by boring, the next operation is that of draining it, or, in the language of miners, of *winning the coal*. It is very unusual to meet with a stratum of coal that is entirely dry, or from which the subterranean springs or feeders of water are so small as to require no other means than manual labour to draw it off or conduct it away. On the contrary, it generally occurs that the stratum of coal, and the other adjoining strata, abound so much with springs of water, that before access to the coal can be obtained, some other method must be adopted to drain or conduct away the feeders. If the coal is in such an elevated situation that a sufficient tract can be drained by a level brought up from the lower grounds, that will be at once the most natural, and perhaps the most economical method. But if a level is considered impracticable, or for particular reasons not advisable, then a steam engine or some other machine is rendered necessary, and is usually fixed upon the deepest part of the coal, or so far towards the dip as will drain a sufficient extent of coal to continue for the time intended to work the colliery. The engine pit is generally of a circular form, and from seven to nine feet wide. The falling of the water and the working of the pumps cause such a circulation of fresh air, that suffocating damp, or foul air, is seldom to be met with in an engine pit; but that description of combustible vapour or inflammable air that will catch fire at a candle is often met with, and proceeds from the partings, backs, and cutters of the solid strata, escaping in some instances imperceptibly, in others blowing as impetuously as a pair of bellows.

The next operation, after sinking the engine pit, is the working or driving a mine in the coal, and sinking the first coal pit. The coal pit is generally placed a little to the rise of the engine pit, so that the water that collects in the engine-pit may not obstruct the working of the coals. The coal pit being sunk down to the coal, the general practice in Scotland is to work out and take away only a part of the stratum of coal in the first working, leaving the other part as pillars for supporting the roof. After the coal is wrought in this manner to such a distance from the bottom of the pit or shaft as is intended, these pillars, or as many of them as possible, are taken out by a second working, and the roof and other solid strata above allowed to fall in and fill up the cavity. The same method is adopted in some parts of England, differing according to the circumstances of the colliery. The English coal, particularly in the northern counties, is of a fine tender texture, and of the close burning kind, and as the roof and pavement is not generally so strong as in Scotland, they require to leave a larger proportion of coal in the pillars for supporting the roof during the first working; in the second working as many of these pillars are wrought away as can be done with safety. The Scotch coal is in general very hard, and of the open burning kind, so that it is necessary to work it in such a manner as to obtain as many great coals as possible. This is best accomplished by taking away as large a portion of the coal as can be obtained at the first working. From its very tender texture the English coal cannot be wrought in large bulk, nor is this, from the richness of its quality, of much consequence.

There are two methods of working the coal; the one called the narrow, the other the long or broad way. The first is by cutting passages through the coal lengthways and across, leaving rectangular pillars between each passage. By this mode one-third of the coal is usually taken out at the first working; and by a second working, as already mentioned, as much of what remains as is possible, consistent with safety to the workmen, commencing with the most distant part, and ending with that nearest to the bottom of the pit. By the long or broad way the coal is all wrought out at once, often to the extent of 150 yards in one front, without any pillars being left to support the roof. The first method is best adapted to those beds of coal that lie at a considerable depth, such as from 50 to 150 fathoms below the surface; the latter, to such as lie more near the surface, particularly if the roof is strong. By means of an improved system adopted by Mr Buddle, of Walls End, near Newcastle-upon-Tyne, from seven-eighths to nine-tenths of the coal is now worked, while previous to the introduction of his system seldom more than one

half could be obtained. By this improved method the mine is divided into any convenient number of rooms, districts, or passages that may be desired, each of which is wrought out and the roof allowed to fall in; and in order to prevent any injury by the falling in of the roof in one part extending to the coal in another, a protecting wall of coal is left between each division.

5. VENTILATION OF COAL MINES.—By describing the process of ventilating these coal mines, the system of working will at the same time be more clearly understood. The pit, or shaft, being sunk down to the coal intended to be wrought, it is divided from top to bottom by a closely boarded partition, so as to prevent the communication of air from one side of the pit to the other. Through the right-hand division of the pit, which is called the downcast, the air descends, and having passed through all the passages in the mine, it again ascends by the left division. In order to promote and assist this draught and circulation of air, a large fire is kept burning at the bottom of the pit, by which the air is rarified and made to ascend more rapidly through the left hand, or, as it is called, the upcast pit or division. The rooms or passages from which the coal is wrought are generally cut out in such a manner as to obtain the largest possible quantity of coal, and at the same time to effect the best and most perfect system of ventilation. Thus from the bottom of the pit parallel passages are cut at convenient distances from each other; cross-cut passages or headings are wrought out which connect these parallel passages, and thus create a free circulation or current of air. The parallel passages are then farther advanced until more air becomes necessary, when a second line of passages or headings are cut and the first carefully closed up, so that the air is thus forced round the lengthened circuit. This process is continued throughout the district, which being thus surrounded, wide passages called boards or rooms are then wrought out at the lower end and cut at regular distances upward to intersect the parallel passages already mentioned. When the coal is thus nearly wrought out by this system of cutting transverse passages, the last operation is to cut away and remove as many pillars of coal that support the roof as can be done with safety. It often occurs that the passages or walls which are built to direct the current of air interrupt the communication, from different places where the coal is wrought, to the bottom of the pit. When this is the case, doors are fixed at convenient distances on one or other side of the walls, and always kept shut, except when the coal-waggons are passing through. Large and extensive collieries are worked from one pit, and passages or boards of great extent are

sufficiently ventilated by a single pit upon the system here described. In some districts, however, it is the practice to ventilate the mines

“By means of two shafts sunk near each other, perhaps from twelve to twenty yards apart. A stream of air is made to descend one shaft, called the downcast shaft, and a corresponding stream of air to ascend the other, called the upcast shaft. The air is set in motion by means of a fire which is kindled in the upcast shaft.”—*Report of Commission on Employment of Children.*

The manner of forcing the air through the various passages is in both cases regulated according to circumstances. It may be forced down one passage and up the next, or down two and up two, or down three and up three. In small collieries, where there is not much inflammable air, a circulation extending round the boundaries of a district where the end of the passages are left open, has been found sufficient. At the large collieries in the neighbourhood of Newcastle-upon-Tyne the ventilation is effected by a current of air thirty-six feet square, having a velocity of three feet in a second. It was stated by Mr Buddle, in his evidence in 1829, that at one of the collieries where he was viewer it required 18,000 cubic feet of atmospherical air in a minute to keep it in a safe working state.

6. THICKNESS OF COAL SEAMS, WORKMEN EMPLOYED, AND DEPTH OF COAL MINES.—Beds of coal in Great Britain are wrought as thin as eighteen inches. If wrought thinner, the working of fire-clay or iron-stone, immediately adjoining, is connected with them. There are instances, however, of caking coals of fine quality, for smiths, being wrought alone, and of only twelve inches thickness. When the bed is eighteen inches thick it can be wrought by men of ordinary size, but young men and boys are the most suitable. In general, where the seam is under three feet two inches high, height is made for the boys either by taking up the bottom or taking down the top: but it appears, from the ‘Report of the Commissioners on the Employment of Children,’ that

“There are collieries in which some of the roads, at least, are not more than two feet, or two feet two inches high, and others in which they are not more than three feet high, and great complaint is made by the young persons working in these places, of the inconvenience and pain they suffer from the lowness of the roof, and want of space to work in.”

Coals from five to eight feet in thickness are in every respect the most suitable for the effective operation of the miner, and for general economy in working. When coals do not exceed twenty feet in thickness, and have good roofs, they are sometimes

wrought as one bed; but if they are tender and free they are wrought as two beds. One of the thickest coal seams in Great Britain, worked as one bed from roof to pavement, is in Staffordshire, near Dudley, known as the ten-yard coal. This coal is in extent but seven miles long and four broad. No coal at all similar to it has been found in the island. At Johnstone, near Paisley, in Scotland, there is a field of coal from fifty to sixty feet thick in one part of the field, and in another it is no less than ninety feet thick. There are several thin bands of stone running through it, but there are only two that are each of the thickness of twenty-seven inches. The labour of working the coal is more or less severe, according to the thickness of the seam. In some very thin seams the colliers are obliged to work with their bodies contracted, in others in a recumbent position, and in others again they lie prostrate upon their backs or sides. In addition to the adult workmen, whose business it is to hew or cut out the coal, there are also a great many children of both sexes and women employed in these mines, chiefly for the purpose, where horses cannot be used, of drawing or pushing the waggons or baskets of coal—in many instances on their hands and feet, wading through mud and water, with a girdle round their waists, to which a chain fastened to the corfe or waggon, and passing between their legs, is attached—from the end of the workings to the bottom of the pits, and of attending upon the doorways through which the waggons or baskets of coal are drawn. In the 'Report of the Commissioners on the Employment of Children' it is stated—

"That instances occur in which children are taken into these mines to work as early as four years of age, sometimes at five, and between five and six, not unfrequently between six and seven, and often from seven to eight, while from eight to nine is the ordinary age at which employment in these mines commences. That a very large proportion of the persons employed in carrying on the work of these mines is under thirteen years of age, and a still larger proportion between thirteen and eighteen.

"That in several districts female children begin to work in these mines at the same early ages as the males.

"That in those districts in which the seams of coal are so thick that horses go direct to the workings, or in which the side-passages from the workings to the horse-ways are not of any great length, the lights in the main-ways render the situation of these children comparatively less cheerless, dull, and stupifying; but that in some districts they remain in solitude and darkness during the whole time they are in the pit, and according to their own account many of them never see the light of day for weeks together during the greater part of the winter season, excepting on those days in the week when work is not going on, and on the Sundays."

By the humane provisions of the excellent bill of Lord Ashley, passed last session, the 5th and 6th Vic., c. 99, female labour is now entirely prohibited; and it is also declared unlawful

“For any owner of any mine or colliery to employ any male person under the age of ten years within any mine or colliery, or to permit any such male person to work, or to be therein for the purpose of working, other than such as at the passing of this act shall have attained the age of nine years, and were at or before the passing of this act employed within such mine or colliery.”

With regard to the healthiness of these mines the Commissioners reported—

“That the coal mine, when properly ventilated and drained, and when both the main and the side-passages are of tolerable height, is not only not unhealthy, but the temperature being moderate, and very uniform, it is considered, as a place of work, more salubrious and even agreeable than that in which many kinds of labour are carried on above ground.”

Mr Buddle, in his evidence before the Committee of the House of Lords in 1829, stated that the deepest working pit he was acquainted with was 180 fathoms of draught, but that they frequently went deeper by inclined planes under ground. The shallowest he was acquainted with was twenty-three fathoms. In the above report of the Commissioners it is stated by the underviewer that the Monkwearmouth colliery is 265 fathoms to the Bensham seam, fifteen fathoms lower being sunk for “standage,” or for a reservoir of water.”

Collieries, according to Mr Buddle, “almost all make two or three different species of coal—the high-priced coal, the low-priced coal, and the middle-priced coal, and also small coal.”

III.—OF THE IMPORTANCE OF THE COAL TRADE.

1. CAPITAL INVESTED, AND NUMBER OF SHIPS AND PERSONS EMPLOYED IN THE COAL TRADE.—In regard to the capital invested in the coal trade, Mr Buddle stated that in several instances the expense of sinking a single pit was upwards of 30,000*l.*, including the steam engine and all its apparatus; and that the expense of sinking, in particular places, is frequently from 10,000*l.* or 12,000*l.* to 150,000*l.* The aggregate capital employed by the coal owners on the river Tyne alone he considered would amount to about a million and a half, exclusive of craft on the river. The total amount of capital embarked in the coal trade of the United Kingdom has been estimated at from eight to ten millions.

The number of men and boys employed under ground in the

collieries on the Tyne was, in 1829, estimated at 8,491; above ground, 3,463; together say 12,000: on the river Wear, 9,000; making 21,000 employed in digging coals and delivering them to the ships on the two rivers. The number of vessels were calculated at 1,400, which would employ 15,000 seamen and boys: adding to these the keelmen and others, 38,000 persons were estimated as employed in the northern coal trade. In London 7,500 persons were estimated as employed in the coal trade, making the grand total in the north country and London departments of the trade, 45,500, exclusive of the persons employed at the out-ports in discharging the ships there. This is strictly confined to the Tyne and the Wear, and it is presumed that the number must now be considerably more. It has been estimated that the total number employed in the coal trade throughout the United Kingdom is from 160,000 to 180,000 persons.

2. IMPORTANCE OF THE COAL TRADE TO THE ARTS AND MANUFACTURES.—Of the great importance of coal to the arts and manufactures, as well as for domestic purposes, its extensive consumption is a sufficient evidence. From the vast beds of South Staffordshire it is extensively wrought for the purpose of smelting the iron ores raised from the intervening strata, for the consumption of the neighbouring towns, which are the seat of the metal manufactures, and for the extensive supply of the surrounding country with fuel. The Shropshire district, between Wolverhampton and Shrewsbury, though smaller in extent, is also the seat of great iron works, and supplies fuel to a great part of the vale of the Severn, and the country to the west of it along to the borders of Wales. The Warwickshire coal field, from Coventry to Tamworth, and the Leicestershire coal field, surrounding the town of Leicester, furnish an abundant supply of fuel to their respective districts. In North Staffordshire, besides the potteries, there are also extensive iron works supplied with coal from their own neighbourhood. In the vale of the Trent, between Nottingham and Derby, commences the great coal field of Derbyshire and Yorkshire, which supplies the extensive country to the east and south in the counties of Leicester, Nottingham, and Lincoln, and has a large consumption in iron works. The Yorkshire portion of this field, which is chiefly included in the West Riding, supplies numerous iron works, and furnishes fuel for the whole of that country except the coast, and also supplies shipments to London. The coal fields of Lancashire and Cheshire are worked to a very great extent for the supply of

the manufactories and dense population of that district. The Cumberland coal field is wrought for the supply of the counties of Cumberland and Westmoreland, and for shipments to Ireland, and the opposite shores of Scotland. The Durham and Northumberland coal tract supplies the whole of those counties, the North Riding of Yorkshire, the adjoining Scotch counties, the whole of the eastern and southern coasts of England, including the metropolis, and the great south-eastern region, into which the sales of the inland coal districts do not penetrate, in consequence of the great cost of land carriage and the want of canals. The exports of coals to foreign places from Durham and Northumberland are also very extensive. In North Wales, in the counties of Denbigh and Flint, there is a large coal field which supplies numerous iron works, and the fuel of nearly the whole of North Wales and a large part of Cheshire and Shropshire. In South Wales, which contains the greatest coal basin of the west, the coal is consumed in the extensive manufacture of iron, copper, and tin, at Merthyr, Tredegar, Neath, and other places, and furnishes with fuel the whole of South Wales and its borders, Cornwall, and a part of Somersetshire; and large quantities of what are called stone-coal are exported to London. In Gloucestershire coal is wrought for the manufacture of iron ore, and for supplying fuel to the surrounding district, including the city of Bristol. In North Somersetshire the coal is wrought on the banks of the Avon for supplying the contiguous country with fuel. Besides the consumption on land and in foreign countries, vast quantities of coal are consumed by steam vessels, and the shipping interest generally.

3. CONSUMPTION OF BRITISH COAL AT HOME AND ABROAD.
—The calculation of the consumption of coal in England and Wales, made by Mr Buddle in 1829, was as follows:—Manufactories, 3,500,000 London chaldrons; household consumption, 5,500,000; making 9,000,000 chaldrons in all consumed from inland collieries. The quantity sent coastwise on both sides of the island, chargeable with a duty of 6s., was 3,000,000, making together 12,000,000 chaldrons annually. Mr Taylor, an experienced coal owner and agent, estimated the annual consumption as follows:—

| | | | |
|--|---|---|------------------|
| Consumed in Great Britain | . | . | 14,880,000 tons. |
| Exported to Ireland, say | . | . | 700,000 „ |
| Total tons, exclusive of foreign exportation | | | 15,580,000 |

According to Spackman's 'Statistics of the British Empire,'

| | | | | |
|-------------------------------------|---|---|---|------------------|
| The export in 1841 was | . | . | . | 1,848,294 tons. |
| Home consumption, carried coastwise | . | . | . | 7,649,899 „ |
| Ireland, about | . | . | . | 19,000,000 „ |
| Total | . | . | . | 28,498,193 tons. |

4. QUANTITIES IMPORTED INTO LONDON.—The importance of coal as an article of fuel, and its immense superiority over wood and turf in the arts and manufactures, early attracted the notice of the English government, and led to the enactment of several laws for the regulation and prosecution of the trade in coal. In 1272, as already remarked, Henry III granted a charter to the burgesses of Newcastle, with liberty to dig coal; and in 1281 Newcastle is said to have had a considerable and prosperous trade in this article. In 1316, upon the petition of his parliament, Edward I prohibited the burning of coal, on the ground that the smoke arising therefrom was injurious to the public health, and an intolerable nuisance; but this prohibition was little attended to, and the prejudice gradually subsiding, the use of coal continued rapidly to increase. At the Restoration the quantity imported into London was supposed to be about 200,000 chaldrons; in 1670, about 270,000 chaldrons; at the Revolution, 300,000 chaldrons; in 1750, about 500,000 chaldrons; in 1800, about 900,000 chaldrons; in 1834, about 1,700,000 chaldrons; and in 1842 about 2,720,000 tons.

5. MONOPOLY OF THE COAL OWNERS OF THE NORTH OF ENGLAND.—The London market is chiefly supplied with coals from the collieries on the Tyne and the Wear; but an arrangement has long existed among the coal owners, by which the supply to London is restricted to a certain variable quantity, so as generally to afford them what they consider a remunerating price. This combination among the coal owners of the north to restrict the supply, and by consequence to keep up the price of coals, has led to several inquiries by select committees of both Houses of Parliament into the history and state of the coal trade. The committee in 1800 gave an account of the trade from 1769 to that period, with some details of the origin of the limitation of vends, and of the frauds in the article, and the impediments to a free trade in London. They called the attention of Parliament to the almost inexhaustible quantity of coal that might be obtained from the counties of Worcester, Stafford, and other places,

by means of inland navigation; and recommended that all impediments to that supply should be removed. The committees of 1829 and 1830 in the Lords and Commons continued the inquiries down to those periods, and recommended many changes that have since been carried into effect, and have produced important results in the coal trade. Further inquiries were resumed by a committee of the House of Commons in 1836, who had their attention directed:—1. To the present state of the coal trade of the north, and to the changes that have been made therein since 1830. 2. To the present state of the trade in London, and the alterations made therein since that period. And 3. To the circumstances arising out of and incidental to these alterations, and to what remedial measures may facilitate the supply of that necessary article.

From these inquiries it appeared that an arrangement or compact was entered into among the northern coal owners in 1771, called the “Limitation of the Vends,” by which, in consequence of certain alleged irregularities to which the coal trade was at that time subject, the prices of coal on the Tyne and Wear were fixed by an arbitrary scale. About the year 1786 or 1787 a particular compact was resorted to, the avowed object of which was to apply a remedy to a heavy depression in the price of certain kinds of coal, and to avert the danger connected with that of the abandonment of several collieries. This compact, with occasional alterations in its conditions affecting particular pits, appears to have been annually renewed. The committee of the House of Commons in 1836 reported, as the result of their inquiries, that

“Before the committee of 1800, Mr Clayton, town clerk of Newcastle, said that for four or five years before 1786 there was a free trade, and low prices all that time, attended with loss to the coal owners: he adds, that if the regulation of the vend had not been adopted, the public would ultimately have suffered, but he does not explain how that would have been produced.

“From September, 1829, the coal trade was free, and prices very low in the London market, and continued so until the regulation of the vend again took place in 1830.

“Mr Brandling, in 1830, said that if the regulations were done away with, some of the pits which produce the best coals would be shut up; that the prices would fall, but would not long continue low, as the prices would be raised again on the consumer by those collieries which continued to work; and that many of the inferior collieries could not be worked in a free trade.

“Mr Buddle, and all the witnesses who support the justice and policy of the regulation of the vend, admit that by a fighting trade the prices would at first fall considerably; but they allege that some of the collieries, unable to compete at these low prices, would be

closed, and that then there would be a reaction; prices would again rise, and the consumers would ultimately be obliged to pay a higher price for their coals than they now pay at a steady price under the regulation. But no examples, however, of the reaction have been stated to the committee, although, besides the above, there are similar instances of a free trade having existed at different periods; and that during those periods prices at the ports of shipment have invariably continued low until the regulations of the vend, by limiting the quantity, had again raised the price.

“Mr Thomas Storey, secretary to the Stockton railway, gives as his decided opinion, that the regulation of the vend is beneficial to coal owners, ship owners, and consumers, by keeping coals at a steady price all the year, and avoiding the great variations which always take place in a free trade, during which the coal owners on the Tees worked at a loss.

“Mr Dunn thinks if the open trade was continued for some years that all the collieries would lose by the low prices; that some of the collieries would be destroyed, and that prices must again become remunerative in some shape or other.

“Mr Bentley is decidedly of opinion that the regulation of the vend is for the benefit of this metropolis and all places supplied by sea-borne coals; but, he adds, the coals come to market rounder and in better condition during the fighting trade.

“Mr Dyer alleges that delay has taken place in procuring cargoes in times of regulation; and that in open trade the coal owners exert themselves to supply the ships with the greatest celerity.”

In another part of the Report it is stated—

“On the Tyne there are forty-seven collieries, of which forty-one are included in the regulation of the vend, and six not. In 1830 there were only thirty-nine in the regulation.

“By the act called the ‘Turn Act’ every ship ought to be loaded in her turn in the river Tyne; and, if any colliery refuse to sell, there is a penalty of 100*l.*; but nevertheless the penalty is avoided, as Mr Brandling states, that although they are by the act compelled to sell, yet they may and do fix their own price, and thus exclude a purchaser without incurring the penalty. When the quantity allotted by the vend is shipped, the vessels must wait for the next fortnight’s supply or go away; and the delay in the river in procuring a cargo is thus increased by the limitation of the vend.

“On the Wear there were nine collieries in the regulation in 1830, and there are the same number now. The collieries of Haswell, Urpeth, and Monkwearmouth, are not in the regulation.

“On the Tees there are sixteen collieries, of which nine are in the regulation, and seven not included.”

The committee stated that they were not desirous that any trade should be trammelled by regulations, but that if any are considered necessary, they ought not to be made by persons who

have an interest in some degree opposed to that of the consumers; that the result of their inquiries was that—

“The great majority of the coal owners on the rivers Tyne, Wear, and Tees, are combined avowedly to limit the supply of coals to the London market, so as to raise the price to the consumer higher than a free trade would command; and also to force on the market a larger proportion of inferior coals at prices which could not be maintained otherwise than by such a combination.”

As regarded the manner in which the London market was acted upon by the factors in London, the Report states:—

“It is proved that the coal owners and ship owners in the north were consulted by the factors in London when the regulations were adopted, and that they were agreed to by the coal owners’ committee. Mr Brandling states the object of these regulations to be, that if the price in London rises above what is considered to be the average price of coal in the London market, the factors offer a greater number of ships for sale; if it falls below that they offer a less number for sale. The ships, therefore, must wait their turn, as the factors shall direct; and any master or owner who refuses to act according to the regulations, and dares to sell his own coals, or take the ship out of turn, is noted by the factors, and complained against to the committee of coal owners in the north; the secretary of the Factors’ Society writes to the secretary of the coal owners in Newcastle; and the master who has so offended is prevented from obtaining a cargo of coals from any of the collieries in the regulation of the vend, unless he will promise to act under the regulations established by the factors in London; and it has been proved in evidence before your committee, that the coal owners refuse under these circumstances to give cargoes to any master who shall disregard the regulations. The evidence of Mr Dyer, a coal merchant and ship owner in London, is conclusive, and shows that the collieries on the Tyne and Wear would not load his vessels with coal, although money had been tendered for the same, because he would not employ the factors in London.”

In consequence of these regulations, by which the supply in the London market is limited by agreement between the coal owners and factors,

“There are often great numbers of ships detained in the river waiting for their turn, and very considerable delay must frequently take place. In the month of June, 1835, the number of ships at market was from 235 to 307 daily; whilst the numbers sold were only from 30 to 51 daily. In the month of December, 1835, the number of ships at market was from 83 to 435 daily; whilst the numbers sold were only from 31 to 111 in any one day. By reference to a joint return, from the Coal-meter and Chamberlain’s offices, it will be found that in some instances twenty-eight days have

elapsed from the date of the vessel's arrival at Gravesend to the date of her clearing out."

The committee thereafter state in their Report, that by all the acts which have been passed for the regulation of the coal trade of London, there has been an evident intention on the part of the legislature to prevent combination and monopoly, and to ensure to the consumer, so far as possible, an ample supply of the article at a reasonable price; and that considering the various modes by which the combination of coal owners in the north, and the union of coal factors in the south, have raised the prices of coal, they were of opinion that all attempts to support a general remunerating price for coals, which are necessarily raised under such varied circumstances, cannot be successfully maintained without prejudice to the public; and conclude their Report by recommending—

"That every means of promoting a new supply be encouraged as furnishing the most effectual mode of counteracting the combination of the coal owners in the north and of the factors in London; and also that a bill should be forthwith introduced to repeal the prohibitory enactment in the second section of the 28th Geo. III, c. 53, so as to leave the coal trade free in the port of London to the competition of capital and enterprise, which are now excluded by the penalties of that act."

In consequence of this recommendation Mr Hume, the chairman of the committee, brought in a bill, which received the Royal assent in August, 1836, and is the 6th and 7th Wm. IV, c. 109. By that act, those provisions of the acts of 9 Anne, c. 28; Geo. II, c. 30, and Geo. III, c. 28 and 53, which restricted the number of partners in the coal trade to five, and punished partnerships beyond that number as illegal combinations, were repealed. The trade in coals was thrown open to the employment of joint-stock capital, as recommended by the committee. The consequence of that act was the formation of several joint-stock companies in the north, and in other parts of the country, for sinking and working coal mines, but as far as the monopoly affecting the London market is concerned, no material advantage appears to have been yet obtained. These companies seem to have been induced, or to have considered it more for their interest, to agree to the limitation of the vend, and to have a certain basis, as it is called, allowed them by the general arrangement of coal owners, rather than to act upon the principles of free trade, and endeavour to dispose of their coals in the same quantity as they could be worked, or more commercially speaking, in correspondence with the demand, and at a lower price than those in "the regulation."

The inhabitants of London and the surrounding districts have therefore not been benefited to the extent anticipated, if, indeed, they have been benefited at all, by the introduction of the above act, although it appeared at the time the best, if not the only step that could be adopted, towards breaking down the monopoly. The regulations which exist among the coal factors, however, and the imposition of a tax by the Corporation of London, are also sources from which the monopoly derives support and strength, and in consequence of which the price of coals is much higher in London than it might otherwise be. The superior quality of the coals produced in the north, for all purposes of consumption, and the great facility of transit by water from thence to London, are the chief obstacles to any effectual competition from other quarters, so as advantageously to restrict or destroy the monopoly by introducing to the market an equally good article at a lower price. If the combination or arrangement existing among the coal factors, by whom the supply to the market is regulated, was abolished, and if the corporation took means to facilitate and render imperative the discharge of coal-laden vessels,—by immense numbers of which the river is at all times inconveniently crowded,—within a given time after their arrival, a great step would be made towards a reduction in the price of coals, as well as the destruction of the monopoly. But the present high price is also considerably enhanced by the tax of 1s. 1d. per ton, imposed by the Corporation of London upon all coals, whether brought by land or water. Thus it may be considered that the City authorities have in some measure in their own hands the power, if not the inclination, to reduce the present exorbitant price of coals, and it might therefore be very desirable that reform should begin at home.* The argument, or rather statement of the coal owners in the north, that if the “limitation of the vends,” or in other words, the monopoly, was abandoned, the price of coals would not be any cheaper to the London consumer, besides being altogether an interested one, is quite contrary to all experience and sound reason. It has invariably been found in all other trades, that the more abundant the supply of an article is the cheaper will it become. Upon what principle but this, and the general benefits that result to the community, have monopolies of every kind been denounced and destroyed one after another? They pretend, however, to base their argument upon the supposition that if the trade is thrown open the number of working collieries

* There are three duties:—a duty of 1d. for coal market expences; a duty of 8d. mortgaged for street improvements; and a duty of 4d. paid to the account of the City Estate, for Corporate purposes.

will be diminished; that is, that it will in such an event be unprofitable for the owners of certain collieries to work them, they will be shut up, and the general supply of the London market be in the same proportion diminished. This consequence does not necessarily follow, and is at best but a mere speculation. It must be clear that in an open trade prices will be brought down to their fair remunerative level, and that the consumer will then always obtain the article for what the producer can afford to sell it, and not, as at present, at such price only as he has combined with a number of others to demand. The principles of free trade are so well known, that it is idle to attempt to convince any intelligent man that the same results are not to be expected from their application to the coal trade as well as to any other. The coal owners by this monopoly also overlook, to a certain extent, their own interest, because it is in the nature of monopolies to restrict consumption. There can be little question that were the trade thrown open, the consumption of coal in London and its suburbs would be very materially increased; and increased consumption would make up, and no doubt much more than make up, for the diminution of price. It was shown in the evidence of the handloom commissioners, as stated in a former number of this Review, that it was chiefly owing to the high price of coals that the original seat of many of our staple manufactures had been changed, and that they had been driven one after another to the northern districts. The coal owners themselves have had an evidence, as we shall immediately show, that increased or high prices diminish demand and consumption, in what has followed the recent imposition of a tax by government upon the exportation of coals to foreign countries. The monopoly, therefore, as already remarked, cannot be justified upon any ground either of experience or sound reason in reference to the principles of free trade. Whatever may be said to the contrary, it is evidently a combination for the benefit of the coal owners and coal factors, at the expense of the community in general.

IV.—OF THE PROSPECTS OF THE COAL TRADE.

1. PROFITS OF THE COAL OWNERS.—The operations of the coal owners have for the last few years been very much similar in regard to character and extent with those of the cotton manufacturer. Coal mines have been sunk and worked with great rapidity, and to a great extent, in various parts of England, and perhaps in none with more recklessness and loss than in the county of Durham. Where private enterprise had cautiously, and with the utmost economy, expended vast sums in the sinking

and winning of collieries, which from the extent of competition could afford but a very small and inadequate return for the money invested, joint-stock companies have rushed headlong into extensive undertakings, and squandered hundreds of thousands without realizing even one per cent. upon their capital. Generally speaking, the profits of the coal owner are by no means considerable, taking into account the uncertainty of the result in opening out a colliery, the expense and danger of the operations, and the number of accidents to which it is liable when fairly at work. Mr Buddle, who had long experience in the coal trade, and was well acquainted not only with the working of collieries, but with the amount of profits that may be realized, stated to the committee of the House of Lords in 1829, that

“ Although many collieries in the hands of fortunate individuals and companies have been perhaps making more than might be deemed a reasonable profit, according to their risk, like a prize in a lottery ; yet as a trade, taking the whole capital employed on both rivers, he should say, that certainly it has not been so.”

Being asked what profit the coal owners on the Tyne and Wear generally made, in his opinion, on their capital employed, he answered,

“ According to the best of my knowledge I should think that by no means ten per cent. has been made at simple interest, without allowing any extra interest for the redemption of capital.”

It is apprehended that were any competent person required to give evidence on this point at present, this statement would be materially modified, and that he would have little hesitation in saying that many collieries upon the Tyne and Wear are now making no profit whatever, but that, on the contrary, there are coal owners who pay more for the capital they have borrowed than the amount of profits realized from their collieries.

2. OVER PRODUCTION AND DEPRESSION IN OTHER TRADES.—The coal trade, like many others, has been overdone ; the extent of competition and the power of production far exceed what the demand at existing prices will take off ; and the introduction of large capitals by joint-stock companies into the north of England, which have been altogether unproductive to the shareholders, has tended materially to break down the scale of profits formerly realized by many coal owners. The coal trade is now, in fact, and has been for some time past, in a state of great depression, and many persons seem to apprehend that were the monopoly for the supply of the London market destroyed, many owners of small and inferior collieries would be ruined. Without examining whether

there can exist any solid grounds for such an apprehension, it ought not to be overlooked that the great and long-continued depression in other departments of the domestic trade of the country is not the least among the causes that have tended and still operate to depress the coal trade. In all the various important branches of manufacture, coal is an essential article, and therefore the decline of the iron manufacture, and of almost all the staple manufactures of the United Kingdom, must unquestionably have the effect of diminishing very considerably the consumption of coal, and of bringing about that "sickness in the coal trade" of which the coal owners of the north are accustomed to speak.

3. EFFECTS OF TAXATION.—The present Government and many persons, including some experienced coal owners, were induced to believe that the recent imposition of a duty on the exportation of coals would not affect the quantity exported. The receipts for duty at the Newcastle Custom house for the first quarter of this year show how far they were mistaken:—

"The receipts for coal duty at the Newcastle Custom house for the first quarter of this year amounted to 12,600*l.*, being an average of about 1*s.* 10½*d.* per ton. The quantity exported during the corresponding quarter of last year would, at the same rate of duty, have produced 19,500*l.*"—*Gateshead Observer*, April 22, 1843.

But this mistaken impression was rendered still more conspicuous by the financial statement of the Chancellor of the Exchequer in May last, which afforded, indeed, a striking illustration of the effect of taxation in diminishing consumption. The accounts of the export of coals in the first quarter of the present year, as compared with the corresponding quarter of last year, show a decrease of from 389,000 to 259,000 tons, and instead of Government realizing, as they expected, 140,000*l.* yearly from the tax on the exportation of coals, only 80,000*l.* had been realized. The observations made by Lord Howick on this part of the Budget are well worthy of attention:—

"His right honourable friend had shown, that instead of gaining 140,000*l.* a-year, the imposition of this duty had but realized 80,000*l.* a-year. Now, he would ask the house whether, for the gain of 80,000*l.* a-year, it was worth while to incur the evils they had done by the imposition of this tax? The former duty on coals had been repealed in 1834, and from that moment the trade had made a spring forward, and had regularly advanced with unexampled rapidity, until the imposition of that duty. The orders at the beginning of last year, before any intimation was given of the proposed duty, were very large, and those conversant with the trade had not

the slightest doubt that this progressive increase would go on. But what had been the consequence of the imposition of this duty? He found that in the last half of the year 1842, during which period this duty had been imposed, the export of coal had only been 598,000 tons, whilst in the previous year the export had been at the rate of 751,000 tons in each half of the year, thus showing a falling off in the first half year of the imposition of the tax of 153,000 tons, being nearly one-third of the whole amount exported to foreign countries. He knew how this could be answered; that the export of coals at the conclusion of last year was no test of what the state of the trade would be, because in order to evade the tax a great effort had been made to ship as much coal as possible in the previous half year. To a certain extent he was prepared to admit that argument to be true; but, on the other hand, the house would remember that the operation of a duty of this kind was not immediately felt to its full extent. The decrease in the exportation of coal could not be suddenly great, because the foreign merchant had to make large arrangements in order to increase his trade to enable him to compete with us. He was informed, also, that many coal owners had been obliged to complete their contracts in supplying coal on a large number of orders which it was impossible to complete before the duty came into operation. The fairest view was to compare the export of the quarter ending April last year with the export of the quarter ending April this year, as till a few days within the end of the quarter last year, the proposed imposition of the duty was not then known. The coal trade of last quarter might be considered as on its permanent footing, except so far as the foreigner was not yet prepared to enter into full competition with us as he might do. What, then, was the condition of the trade on comparing those two quarters? In the quarter ending April, 1842, the export of coal to foreign countries was 389,000 tons; in the year ending April, 1843, the export had fallen to 259,000 tons, showing a falling off of no less than 130,000 tons, being rather more than one-third of the whole of the previous export of coal. That was to say, in the very first year of the imposition of this duty it gave an advantage to the foreign producer of one-third of the whole amount of this trade, which gave extensive employment to our shipping and mining interests; and, let the house remember, that they were only now beginning to feel the effects of it, because it was perfectly notorious to all connected with the trade, that the foreign producer was making arrangements for bringing into the market a large supply of coals to compete with the coal exported from this country. This duty, therefore, which it was thought would fall on foreigners, had fallen exclusively on our own ship and coal owners, the freight and prices of coal having fallen more than the duty.”*

* The Chancellor of the Exchequer, in giving up the export duty, which would be a boon to the coal owners, might stipulate for a bill to put an end to the regulations of the vend, and so effect a double benefit for the public.

The following return, obtained on the motion of Mr Hodgson Hinde, and published a few days before the appearance of the Budget, shows the quantity of coal exported to foreign countries, with the duty derived therefrom.

| QUARTERS. | Large Coal and Cinders. | Small Coal and Culm. | Total. | Large Coal and Cinders | Small Coal and Culm. | Total. |
|----------------------|-------------------------|----------------------|-----------|------------------------|----------------------|--------|
| | Tons. | Tons. | Tons. | £. | £. | £. |
| Ending April 5, 1842 | 389,117 | — | 389,117 | 3,186 | — | 3,186 |
| Ending July 5 - - | 658,376 | — | 658,376 | 4,013 | — | 4,013 |
| Ending Oct. 10 - - | 298,278 | 111,199 | 412,477 | 25,860 | 5,787 | 31,647 |
| Ending Jan. 5, 1843 | 152,345 | 33,801 | 186,146 | 17,246 | 1,713 | 18,959 |
| Total of 1842 | 1,498,116 | 148,000 | 1,646,116 | 50,05 | 7,500 | 57,805 |
| Ending April 5, 1843 | 195,080 | 64,175 | 259,255 | 20,919 | 3,215 | 24,134 |

For the annexed statement we are indebted to the ‘Gateshead Observer’ of the 13th of May last :—

“The following are the quantities of coal (in tons) that were exported from the ports of Newcastle, Sunderland, and Stockton, during the years 1841 and 1842 :—

| | | Newcastle. | Sunderland. | Stockton. |
|------|------------------------------|------------|-------------|-----------|
| 1841 | { To British possessions - - | 77,989 | 20,608 | 6,526 |
| | { To Foreign countries - - | 672,596 | 387,907 | 162,819 |
| 1842 | { To British possessions - - | 102,134 | 16,571 | 7,239 |
| | { To Foreign countries - - | 764,147 | 348,315 | 173,569 |

“The quarter ending the 5th of April, 1843, compared with the corresponding quarter of 1842, shows the following results :—

| | | | April 5, 1842. | April 5, 1843. |
|-----------------|---------------------------------|--|----------------|----------------|
| Newcastle | - - { British possessions - - - | | 29,056 | 17,197 |
| | { Foreign countries - - - | | 184,746 | 129,646 |
| | Total - - - | | 213,802 | 146,843 |
| Sunderland | - - { British possessions - - - | | 4,193 | 12,175 |
| | { Foreign countries - - - | | 98,437 | 49,443 |
| | Total - - - | | 102,630 | 61,618 |
| Stockton | - - { British possessions - - - | | 2,285 | 3,423 |
| | { Foreign countries - - - | | 30,196 | 28,123 |
| | Total - - - | | 32,481 | 31,546 |
| The three ports | { British possessions - - - | | 35,534 | 20,795 |
| | { Foreign countries - - - | | 313,379 | 207,212 |
| | Total - - - | | 348,913 | 240,007 |

4. FOREIGN COMPETITION.—The opening out of coal mines in America, Russia, and other countries, must sooner or later interfere materially with the coal trade of Great Britain. At present the importation of foreign coal into the United States is almost, if not entirely, from this country. The following official return shows the progressive importation and production of coal in the Union for the last twenty-two years. The “foreign imports” distinguishes the quantity supplied from Great Britain; “Virginia,” the bituminous coal wrought and shipped at Richmond in Virginia; and the “anthracite,” the production of the state of Pennsylvania.

| Years. | Foreign Imports. | Virginia. | Anthracite. |
|------------|-------------------|---------------|-------------|
| 1821 | Tons 22,123 | | 1,073 |
| 1822 | 34,523 | 48,214 | 2,210 |
| 1823 | 30,433 | 39,255 | 5,823 |
| 1824 | 27,228 | 59,857 | 9,541 |
| 1825 | 25,645 | 59,571 | 34,893 |
| 1826 | 35,605 | 79,143 | 48,047 |
| 1827 | 40,257 | 75,643 | 63,131 |
| 1828 | 32,303 | 89,357 | 77,516 |
| 1829 | 45,393 | 83,357 | 112,083 |
| 1830 | 58,136 | 91,786 | 174,134 |
| 1831 | 36,509 | 93,143 | 176,520 |
| 1832 | 72,987 | 117,878 | 363,871 |
| 1833 | 92,432 | 142,587 | 487,718 |
| 1834 | 91,626 | 110,714 | 376,636 |
| 1835 | 49,969 | 96,438 | 560,758 |
| 1836 | 108,432 | 110,714 | 682,428 |
| 1837 | 152,450 | 100,000 | 881,479 |
| 1838 | 129,083 | 96,428 | 739,293 |
| 1839 | 181,521 | 85,714 | 819,327 |
| 1840 | 162,867 | 78,571 | 865,414 |
| 1841 | 155,394 | 71,071 | 958,899 |
| 1842 | 103,247 | 68,750 | 1,108,000 |

It is proper, however, to remark, that a larger amount of British coal is still exported than the total quantity yet produced in the United States, as is shown from the following table, embracing a period of nine years:

| Years. | Newcastle. | Sunderland. | Stockton. | Great Britain. |
|------------|---------------|---------------|---------------|----------------|
| 1834 | 230,342 | 149,956 | 9,988 | 615,255 |
| 1835 | 313,107 | 154,538 | 26,840 | 736,060 |
| 1836 | 415,849 | 170,367 | 36,943 | 916,868 |
| 1837 | 476,157 | 242,463 | 46,516 | 1,113,610 |
| 1838 | 554,175 | 308,178 | 86,689 | 1,313,709 |
| 1839 | 558,052 | 370,620 | 111,707 | 1,449,417 |
| 1840 | 593,911 | 442,987 | 132,842 | 1,606,313 |
| 1841 | 750,585 | 408,515 | 169,345 | 1,848,294 |
| 1842 | 791,981 | 366,451 | 178,342 | 1,852,009 |

As regards the coal found in the southern parts of Russia, it appears from an analysis made by M. Voskressensky, of the Imperial University of St Petersburg, specially employed for the purpose, that the best Russian coal found in the neighbourhood of the Stanitsa Groushevskaja, in the country of the Cossacks of the Don, contains 94.231 per cent. of carbon, and the most inferior, which is found at Tiflis, 63.649 per cent. On comparing these results with those obtained from the coal of England and France, it was found that the best Newcastle coal yielded only 84.846 per cent. of carbon, and the best French, 91.98 per cent. The Russian coal has thus been declared to be superior to the coal of England and France. By recent advices from New Zealand, information is given of the opening out of coal mines in that colony, and that a shipment of Port Nelson coals had been made to England as a sample.

But although the opening out and working of coal mines in America and other countries, where there are most extensive and valuable beds of that now indispensable article of fuel, must interfere sooner or later with the prosperity of the coal trade of Great Britain, there is no reason to apprehend any formidable competition for many years to come. Since the imposition of the tax, the exportation of coals, as shown by Lord Howick and the foregoing tables, has certainly diminished to the extent of one-third, and although it may perhaps not be quite correct to ascribe such decrease entirely to that cause, the effect of the continued tax must be gradually to diminish the foreign demand.

The depression under which the coal trade at present labours arises partly from the great competition which the opening of numerous new collieries, chiefly in the north of England, has occasioned; partly from the depressed state of manufactures at home and abroad; partly from the recent tax imposed on the exportation of coals to foreign countries; and partly, although as yet only in a small degree, from the opening out of coal mines in America and other countries, by which they are becoming gradually independent of supplies from Great Britain.

G. M.

ART. VI.—*The Progress of the Nation in its various Social and Economical Relations.* By G. R. Porter, Esq. Vol. III. C. Knight and Co.

WE have often seen it remarked, that the secret instincts of a beaurocracy are opposed to innovation; of which perhaps the most striking example is the continued resistance of the authorities of the Custom house and the Post office to all administrative improvements connected with those departments. Whatever truth, however, there may be in the observation, we have at least an exception to the rule in the Board of Trade. It may, perhaps, be regarded as a remarkable phenomenon, as only a fortunate accident, but the fact is not the less certain that we have had now for some years, as secretaries to the Board of Trade, men, probably the very best fitted by their qualifications for the office that could have been selected if the whole country had been canvassed in making the appointment; and happily not men who have deemed it incumbent upon them to hide their light under a bushel, from motives of expediency or timid deference to the hostile opinions of their chiefs, but who have never shrunk from the honest avowal of their conviction, that the true policy of the country is the free-trade policy, and not that of protection or class interests. The evidence of Mr James Deacon Hume before the Import Duties Committee was perhaps the clearest, the best-reasoned, and the most important testimony given by any of the witnesses examined. The proposed tariff of Mr J. Macgregor was a more statesman-like document of the kind than had ever been submitted (for mutilation) to a First Lord of the Treasury and a Chancellor of the Exchequer, and the work of Mr G. R. Porter, on 'The Progress of the Nation,' is a complete code of principles applicable to commercial intercourse, and an invaluable collection of statistical facts connected with the science of legislation.

It would be a poor compliment to our readers to suppose them unacquainted with the two former volumes of this work, which we may safely assume to be found in the library of every public man in the United Kingdom, as indispensable for reference, and we shall therefore confine ourselves to a brief analysis of the contents of the new volume, the third of the series.

It is divided into three sections, which treat, 1st, of Consumption; 2nd, of Accumulation; 3rd, of our Colonies and Foreign Dependencies. We turn first to the chapter which relates to the consumption of food, and as this is the most important branch of the whole subject discussed, we may here quote some remarks

on the want of correct official returns of the extent of the supply, in any one year, of the principal necessities of life, and the extreme desirability of remedying this defect by some simple and efficient machinery for obtaining the required information.

“The importance of knowing accurately the provision made for the sustenance of the people is surely not less than that of knowing the yearly produce of some of the less valuable articles of commerce. The condition of the crop of indigo in Bengal is accurately communicated to the merchants in London at the earliest moment when it can be known, and through its influence upon the price has an immediate effect in checking or in promoting the consumption; but as regards the staple article of our food, no systematic attempt has ever been made to ascertain its sufficiency or otherwise. It is now well known that the produce of the harvest of 1837 was so far below the average consumption of the people, that before the grain of 1838 could be brought to market the stock of English wheat was all but exhausted, and, but for the supply of foreign corn in our granaries, there would have been a most distressing scarcity before any fresh importations could have been received. If by any means the fact of this deficiency had been ascertained when the harvest of 1837 was got in, we should certainly not have seen, as we did, an actual fall in our markets immediately following that harvest, nor a continuance of comparatively low prices up to the middle of 1838. If a timely warning could have been given, a moderate but still an adequate rise in price would have been the immediate consequence, and the consumption would have been by that means so influenced that we should, in all probability, have avoided in a great degree that excessive rise in the cost of bread which has been productive of much hardship to our labouring classes, and which, but for the abundant demand for labour throughout the kingdom, would immediately have occasioned general and wide-spread misery.” * *

“In Belgium every kind of information connected with the production of the kingdom is obtained with considerable accuracy, by means of a body of gentlemen (usually proprietors) residing in different localities, and who are elected in the respective provinces, for purposes of local government, by the same persons that elect deputies to the legislative chamber. The functions of the persons thus elected are in many respects similar to those of justices of the peace in English counties. Having local knowledge concerning the condition and circumstances of the several communes in their districts, they are enabled readily to prevent or to detect errors in the returns made by the several farmers or occupiers, and there is therefore every reason to place a considerable degree of reliance upon the accuracy of the result. This result is annually presented by them in a detailed report, which is printed under the authority of the governor of the province, and is open to the use of every one of

the inhabitants. It has never been pretended that any improper advantage has been taken of the knowledge thus acquired; and if this can be said of Belgium, where the members of the legislative chambers have not by any means so great nor so direct an interest in the landed property of the kingdom as is possessed by the members of our two houses of Parliament, there cannot surely be any reason to dread lest injury should thus be occasioned in England."

The difficulty of ascertaining, under our existing arrangements, the actual quantities of bread and meat supplied to the public, does not exist in the case of those necessities which are either imported or under the regulations of the excise. In this case the quantities are ascertained, in order that the duty may be paid, and the result affords striking illustrations of the effect of price in diminishing or increasing the power of consumption; an instance is given in the following table of the

CONSUMPTION OF SUGAR.

| Year. | Quantity of Sugar retained for Consumption. | Molasses equivalent to Sugar, taken for Consumption. | Sugar and Molasses retained for Consumption. | Average Price per 'London Gazette.' | Average Con- sumption of each Person. |
|-------|--|--|---|--|---|
| | cwts. | cwts. | cwts. | s. d. | lbs. |
| 1830 | 4,147,350 | 126,595 | 4,273,945 | 25 0 $\frac{1}{4}$ | 19.94 |
| 1831 | 4,233,509 | 130,734 | 4,364,243 | 23 8 | 20.11 |
| 1832 | 3,974,627 | 212,508 | 4,187,135 | 28 8 $\frac{1}{4}$ | 19.00 |
| 1833 | 3,780,138 | 241,457 | 4,021,595 | 29 7 $\frac{1}{2}$ | 17.99 |
| 1834 | 4,013,919 | 190,492 | 4,154,411 | 29 2 $\frac{1}{4}$ | 18.31 |
| 1835 | 4,116,153 | 233,429 | 4,421,145 | 33 9 $\frac{1}{2}$ | 19.21 |
| 1836 | 3,676,496 | 246,405 | 3,922,901 | 40 9 | 16.58 |
| 1837 | 4,127,446 | 222,007 | 4,349,053 | 34 5 | 18.38 |
| 1838 | 4,089,453 | 197,329 | 4,418,334 | 33 7 | 18.42 |
| 1839 | 3,838,627 | 199,987 | 4,171,938 | 39 4 $\frac{1}{4}$ | 17.16 |
| 1840 | 3,606,038 | 158,672 | 3,764,710 | 48 7 $\frac{3}{4}$ | 15.28 |
| 1841 | 4,037,628 | 150,696 | 4,208,324 | 38 3 $\frac{1}{4}$ | 17.65 |

What is assumed in the above as the average consumption by each individual is merely a calculation of the quantity supplied per head to the whole population, supposing each to receive an equal portion; but from minute inquiries made by Mr Porter, it would appear that the average consumption of families in easy circumstances is about 40 lbs., and as persons of this class do not sensibly vary their style of living by the fluctuations of markets, the pressure of high prices is chiefly felt by the great body of the working classes, or by about four-fifths of the whole population, whose consumption of sugar in 1831 Mr Porter estimates, per head, at 15 lb. 2 oz., and in July, 1840, when prices were at

duties, combined with the recent short production of our West India colonies.

"The cost to the people of this country of the differential duty on sugar, imposed for the benefit of the English sugar colonies, has become of late extremely burthensome. The cost, exclusive of duty, of 3,764,710 cwt. retained for consumption in 1840 was 9,156,872*l.*, if calculated at the 'Gazette' average prices. The cost of a like quantity of Brazil or Havana sugar of equal quality would have been 4,141,181*l.*, and consequently we have paid in one year 5,015,691*l.* more than the price which the inhabitants of other countries in Europe would have paid for an equal quantity of sugar. This, however, is an extreme view of the case. If our markets had been open at one rate of duty to the sugar of all countries, the price of foreign sugar would have been somewhat raised, while that from British possessions would have been lowered, but it may be confidently said that even in that case the saving would have been more than four millions of money.

"Again, if the public had thus been able to buy sugar at about the average price of the year 1831, we may fairly assume that the average consumption per head would have been as great in 1840 as it was in 1831, and in this case the revenue upon this article would have exceeded the sum received by more than 1,500,000*l.*

"The differential duty on foreign sugar in favour of our own sugar colonies is most extravagantly great, and acts, as it was meant to act, as a prohibition against its consumption. The difference, since the addition of five per cent. has been made to the customs duties generally, has been 4*l.*s. per cwt. or 4½*d.* per lb. When the supplies of sugar from our own colonies exceeded the home demand, this protection was of no practical effect, but of late it has operated to raise the price of British plantation sugar, and thereby, as we have seen, to lessen the consumption."

In another article of extensive consumption we are enabled, not only to trace the effect of prices in contracting or enlarging the enjoyments of the people, but also to observe the comparative productiveness of high and low duties, and perhaps no article has been subject to such extreme fiscal alterations as

COFFEE

| Year. | Number of Pounds consumed. | Rate of Duty per Pound on British Plantation Coffee. | Population of Great Britain. | Average Consumption. | Sum contributed per Head to the Revenue. |
|-------|----------------------------|--|------------------------------|----------------------|--|
| | lbs. | s. d. | | lbs. ozs. | d. |
| 1801 | 750,861 | 1 6 | 10,942,646 | 0 1·09 | 1½ |
| 1811 | 6,390,122 | 0 7 | 12,596,803 | 0 8·12 | 4 |
| 1821 | 7,327,283 | 1 0 | 14,391,631 | 0 8·01 | 6 |
| 1831 | 21,842,264 | 0 6 | 16,262,301 | 1 5·49 | 8 |
| 1841 | 27,298,322 | 0 6 | 18,532,335 | 1 7·55 | 10½ |

"It appears from the preceding statement, that, when the duty amounted to 1s. 6d. per pound, the use of coffee was confined altogether to the rich. The quantity used throughout the kingdom scarcely exceeded, on the average, one ounce for each inhabitant in the year, and the revenue derived was altogether insignificant. In the interval between 1801 and 1811 the rate of duty was reduced from 1s. 6d. to 7d. per lb., whereupon the consumption rose 750 per cent., and the revenue derived was increased more than threefold. During the next decennary period the duty was again advanced to 1s. per lb., by which means the progressive increase was checked so as to render the consumption actually less in 1821, taking the increased population into account, than it was in 1811. In 1825 the duty was again reduced to one-half the previous rate, and we see that in 1831 the consumption was consequently increased fourteen and a half millions of pounds, or nearly 200 per cent., the average consumption of each individual being raised from eight to twenty-one ounces per annum, while the revenue was increased by 100,000/. The duty on coffee, the growth of the British plantations in America, was continued at the same rate until 1842; but as the consumption, after the reduction of duty in 1825, speedily overtook the power of production in those plantations, the quantity used was necessarily limited, until the market-price should be raised so high as to admit the produce of British India, upon which a duty of 9d. per lb. was chargeable. This in effect soon occurred. In 1835 the importations from the British West Indies were less than fifteen millions of pounds, and the state of the market made it advisable for the dealer to pay the additional duty of 28s. per cwt. upon East India coffee, of which 5,596,791 lbs. were thus brought into consumption in that year, but without augmenting the aggregate quantity used. It being thus evident that the supply from our western colonies was incommensurate with the wants of the country, and that even the stimulus of a high monopoly price was ineffectual for its increase, the tariff was modified at the end of 1835 so as to admit coffee, the growth of the British possessions in India, at the low duty of 6d. per lb. Upon this the consumption, which had been stationary for the five preceding years, again suddenly started forward, to be again checked by the inadequacy of even the enlarged supply, and the price was, by this virtual monopoly, sustained so high that it became worth the while of merchants to send coffee, the growth of foreign plantations, and which was liable to pay a consumption duty of 1s. 3d. per lb., to the Cape of Good Hope for reshipment to this country, by which expensive ceremony it became entitled to admission at the modified rate of 9d. per lb., or 28s. per cwt. beyond that exacted on coffee the growth of British possessions, the difference in the market price being more than equal to this, in addition to all the charges of the outward and homeward voyages. The injurious effect of this state of things to the revenue, and its hardship upon the consumer, have at length been met by a further modification of the duties, which

will afford temporary relief, but which still leaves an advantage to the British coffee planter over the foreign producer of 37s. 4d. per cwt., and it requires no peculiar power of prophecy to foretel, that with respect to this one article at least of extensive use, we must ere long be forced to adopt the only sound system of legislation, and impose one uniform duty, without reference to origin, and without any pretence of protecting one class of producers against another, to the injury of the general body of consumers, and to the limiting of the trade of the kingdom.

"It could not fail to produce a powerful effect upon commercial legislation if we could always count the cost of interferences with the natural course of trade. If it could be shown how great is the waste of property that at all times accompanies attempts to favour some at the expense of the rest, it may be presumed that governments would hesitate before they entered upon so hurtful a course. The following estimate exhibits an amount of capital thrown away as effectually as if it had been cast into the sea, in order to take advantage of the privilege of bringing into consumption, at the duty of 9d. per lb., coffee that was otherwise liable to pay 1s. 3d. per lb.

"Freight, insurance, landing, and shipping charges on

| | £. | s. | d. | £. |
|--|----|----|----|--------|
| 7,080 tons shipped from Europe, at 10 6 8 per ton, | | | | 73,160 |
| 5,060 " " W. Indies, at 4 17 0 " | | | | 24,540 |
| 5,680 " " Brazil, at 4 10 0 " | | | | 25,560 |
| 2,030 " " Java, at 2 0 0 " | | | | 4,060 |

"To which must be added for interest, loss of weight, and deterioration of quality, including risk of sea damage, on

| | £. | s. | d. | £. |
|---|----|----|----|----------|
| 7,080 tons shipped from Europe, at 3 5 0 per ton, | | | | 23,010 |
| 10,740 " " { W. Indies } at 2 10 0 " | | | | 26,850 |
| | | | | |
| | | | | £177,180 |

"In estimating the cost to the consumer, of this roundabout operation, it will be correct to assume that the enhancement of price upon the whole quantity used is governed by the highest rate of expense to which any part is subject, since it is evident that if the voyage from Europe were not undertaken, the coffee might be as advantageously sold at an equivalent reduction in price, and this reduced price would determine that of the whole, because there cannot be in any market two prices at the same time for the same article. It appears, therefore, that the price of all the coffee used in this country in 1840 was increased to the consumer by 28s. per cwt.,—the difference of duty, in addition to 13s. 7d. per cwt., the expense of sending coffee from Europe to the Cape of Good Hope and back. This increased price on 28,723,735 lbs. amounted to 533,227l., but the higher duty was received on 14,228,404 lbs., giving an advantage

to the Exchequer of only 192,416*l*. If the difference between these amounts were added to the revenue derived from coffee, it would make the rate of duty equal to 10½*d*. per lb. upon the whole quantity consumed, and it is clear that, had the consumers been allowed to pay that rate of duty upon every kind of coffee that comes to market, the effect to them would have been the same, while the revenue would have benefited to the amount of 340,811*l*. If there had been no differential or protective duty, but all kinds of coffee had been admitted at the duty charged on that of the British plantations, the public would have had the means of expending additionally on the article the above-mentioned sum of 533,227*l*., which would have purchased very nearly twelve millions of pounds, and thus have added 40 per cent. to the consumption, and nearly 100,000*l*. to the revenue.

Mr Porter does not omit a comment upon the beneficial change that has been observed in the habits of working men since they have found in coffee shops a cheaper place of refreshment than the public house; and he remarks that on similar grounds, both financial and moral, a reduction in duties on tea is greatly to be desired.

"The history of the tea-trade affords abundant proof of the effect produced on consumption by alterations in the rate of duties. In 1784 the duty was 1*s*. per pound, and 67 per cent. on the value, and the quantity consumed was no more than 4,948,983 lbs. In the following year the rate was reduced to 12½ per cent on the value, and the consumption rose in that and the two following years as under:—

1785, 10,856,578; 1786, 12,539,380; 1787, 17,047,054.

"Similar effects had followed reductions in the duty at former periods. In 1746 a reduction equal to about 2*s*. per pound caused an increase in the quantity to more than three times that on which duty had been paid in 1745. In 1768 an abatement of 1*s*. per pound on black tea caused the consumption to increase immediately 80 per cent., and when in 1773 the shilling duty was re-imposed, the consumption fell back to its former scale.

"If our commercial relations with China shall be placed upon a secure footing, and a bold measure of reduction in the duty on tea is adopted, can it be doubted, with these historical facts before us, that the Exchequer would soon find an advantage from it, while the trade and manufactures of the country would be proportionately benefited, and the people of this country, the working classes, would have the sum of their rational enjoyments enlarged."

Perhaps the greatest miracle of modern times is the moral change which has been wrought in the character of the whole Irish people by Father Mathew. That the successful result of the exertions of this remarkable individual is no fable, will be seen by Mr Porter's statement of the

CONSUMPTION OF SPIRITS IN IRELAND.

| | | Gallons. | | Duty. |
|------|-----|------------|-----|-------------|
| 1837 | - - | 11,235,635 | - - | £ 1,310,824 |
| 1838 | - - | 12,296,342 | - - | 1,434,573 |
| 1839 | - - | 10,815,709 | - - | 1,261,832 |
| 1840 | - - | 7,401,051 | - - | 936,126 |
| 1841 | - - | 6,485,413 | - - | 864,726 |

Many persons are of opinion that the change will not last, and that a reaction against the temperance movement may soon be expected. For ourselves, we have great confidence in the permanency of the benefits produced. There may, perhaps, after a time, be more occasional instances of drunkenness, and less of total abstinence, than at present, but the charm has been broken; the same talisman will never regain its lost influence. The habit of drinking is rarely acquired from the mere gratification afforded by it to the palate, or the pleasures of intoxication. It is the creature of conventional usages. Working men invited each other to drink at markets and fairs, as the higher classes of England formerly did at their tables, because it was the custom, and a sign of hospitality and good fellowship. The custom is now destroyed; intoxication no longer receives the countenance of opinion; drinking as a vice must henceforth be individual, it cannot be national.

The consumption of tobacco is of course materially affected by the high rate of duty, but as it is not desirable on the score of public health that this consumption should be increased, there would appear but one valid reason for lowering the duty, and that is the encouragement given to smuggling by a duty of 3s. per lb., which is so utterly out of proportion to the value of this commodity, that the contraband dealer can afford to lose several ventures if he only succeed in safely disposing of one. It is otherwise with the article of soap, and it is with a bad grace legislators condemn the want of personal cleanliness in the "great unwashed," while they continue to defend a soap duty as an essential source of revenue.

Besides the duty of 1½d. per lb. upon all soap manufactured, every person engaged in the manufacture is compelled to take out an annual licence of 4l.; but as soap can be made by a very inartificial process in any cellar or small room, the legitimate trade has constantly to struggle against the competition of the contraband.

Everybody is aware of the great improvements effected in the manufacture of candles since 1830, when the candle duty was repealed; but

"The Excise regulations, which it may be presumed are necessary

for the protection of the revenue, so entirely prevent improvements in the processes, that the quality of soap made in foreign countries, where no such regulations are imposed, is invariably superior to that of English soap, and unless to our own colonies and dependencies, we cannot be said to have any export demand for British-made soap. We pay an import duty on the chief ingredient used in the manufacture which is not returned on that part which is exported, and our duties are so regulated that our manufactures are in a great degree restricted to the employment of a material which is not calculated to produce soap of the finest quality. The manufacturers of Marseilles use almost exclusively olive oil, while ours are chiefly restricted to the use of tallow, which produces an article so inferior in quality, that the preference is given in foreign countries to almost any soap over that made in this kingdom; and this is especially the case where the article is used in manufacturing processes.

"After these remarks it will be understood that the following statement regarding the use of soap is not to be taken as correct, although it is as much so as public documents will admit.

| Years. | No. of Pounds of Soap Consumed. | Rate of Duty. | Quantity Consumed per Head. | Amount of Duty Contributed per Head. | No. of Licensed Makers. |
|--------|---------------------------------|--|-----------------------------|--------------------------------------|-------------------------|
| 1801 | 52,947,037 | { 2½d. per lb. hard } { 1½d. " soft } | lbs. 4·81 | s. d. 0 11½ | 621 |
| 1811 | 73,527,760 | Ditto | 5·83 | 1 1½ | 522 |
| 1821 | 92,941,326 | { 3d. per lb. hard } { 1½d. " soft } | 6·43 | 1 7½ | 363 |
| 1831 | 103,121,577 | Ditto | 6·23 | 1 6½ | 532 |
| 1841 | 170,280,641 | { 1½d. per lb. hard } { 1d. " soft } | 9·20 | 1 1½ | 311 |

"The progressive decrease in the number of licensed makers, until they are now little more than one-half as many as in 1801, is a very remarkable circumstance, and one for which it is difficult to assign a sufficient reason."

The increased consumption of iron opens a most encouraging prospect for British industry. The application of iron, as a better material for sea-going vessels than wood, may give to England a trade in ship building, of which it is impossible to see any limit.

"Iron was first used about the year 1810 for the construction of vessels employed in canal and river navigation. After this, the first similar employment of this material occurred in 1820, when a steam vessel called the 'Aaron Manby' was constructed at the Horsley iron works, and made the voyage between the capitals of England and France without unlading any part of her cargo. This vessel is still in good condition, although twenty-two years old, never having

required any repairs to her hull. In 1825 a small iron steam boat was placed on the river Shannon, where she is now employed, in good condition. In 1832, 'The Elburkah,' an iron steam vessel, built by Messrs Macgregor, Laird, and Co., Liverpool, made the voyage from that port to the coast of Africa, and twice ascended the river Niger. This successful experiment led to the construction of many other iron steam vessels. One builder, Mr John Laird of Birkenhead, near Liverpool, has built forty-five iron vessels of the aggregate burden of 12,600 tons. The total number launched since 1830 is said to exceed 150. The largest iron vessel yet finished, and in use, is the 'Guadaloupe,' a steam frigate of 788 tons, carrying 68-pounders, and belonging to the Mexican government; but her dimensions are insignificant when compared with those of the 'Great Britain,' now building, and nearly finished, at Bristol.

| | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|------|
| The length of this vessel, from her figure head to the tafrail, is 320 feet, | | | | | | | | | |
| The breadth of beam | . | . | . | . | . | . | . | . | 51 " |
| The depth of her hold | : | : | : | : | : | : | : | : | 31 " |
| Her draught of water, when loaded, is calculated to be | . | . | . | . | . | . | . | . | 16 " |

and her burden 3,500 tons. The engines will have a force equal to that of 1,000 horses, and will be used to keep in action, as the means of propulsion, an Archimedean screw. The draft of water will be seen not to exceed that of a first-class West Indianan. At present this vessel can only be considered as an experiment; and, should it fail, an abundance of ridicule will no doubt be cast upon the projectors by men whose genius would hardly have sufficed for the invention of a wherry.

"A great part of the steam navy of the East India Company consists of iron vessels, twenty-five of which are now in use in India, among which are the 'Nemesis,' the 'Phlegethon,' the 'Ariadne,' and the 'Medusa,'—names well known to the British public from the conspicuous part which the vessels have performed in the war with China.

"The advantages of iron over timber, for naval architecture, are—the absence of 'wear and tear' in the hull—no necessity for caulking or coppering—no possibility of injury from dry-rot—greater lightness and increased capacity—and, what is of even far more importance, greater safety. This last point has sometimes been questioned, but not by any one having knowledge on the subject. When a timber-built ship takes the ground with any violent shock, the whole frame-work of the vessel is strained, and in a measure dislocated,—so that by the mere buffeting of the waves she will, in all probability, soon be made a complete wreck; but when an iron-built vessel strikes, however violent the blow, it is only the part that is brought into collision with the rocks that will be injured. The plan of building these ships in water-tight compartments then proves its efficacy; for should the injury amount even to the tearing away of plates, the resulting mischief will only be to fill with water that particular compartment of the vessel to which the injury has

occurred, so that the ship will be scarcely less buoyant than before ; and experience has shown that damage of this kind is easily repaired.

* The first cost of iron vessels is somewhat, but not much, less than that of timber-built vessels : their comparative cheapness results from their greater durability : after years of constant employment they are found to be as sound and as clean as when first built. Their weight, upon which depends the displacement of water, is—as a general rule—three-fifths the weight of wooden vessels of the same capacity. The weight of metal used in proportion to the burden of the ship varies, of course, with the size. A sea-going iron steam vessel will take from nine to twelve cwt. of iron per ton register. Boats intended for river traffic, which do not require an equal degree of strength, of course take a less weight of metal.

“The building of iron ships is fast becoming an important branch of national industry ; it is one in which our mineral riches and our great mechanical skill will secure to us a virtual monopoly.”

Fuel is another of the articles of consumption of which it is impossible to ascertain the quantities supplied for the whole country, or the extent of the demand. The City coal duties, however, furnish the data for showing the consumption of the metropolis, which of late years has greatly increased.

COALS BROUGHT TO LONDON.

| | | | | | |
|------|-----|-----|-----|-----|-----------------|
| 1822 | ... | ... | ... | ... | 1,667,307 tons. |
| 1832 | ... | ... | ... | ... | 2,149,820 „ |
| 1842 | ... | ... | ... | ... | 2,754,719 „ |

The present consumption of coal in the metropolis may appear great, but there is little doubt that the quantity would be doubled were not the price artificially raised by the combined operation of the harbour regulations of the London Corporation and the limitation of the vend by the coal owners in the north ; a subject alluded to in the preceding article devoted to the coal trade, but upon which Mr Porter enters somewhat fully :—

“The ‘limitation of the vend’ has existed, with some partial interruptions, since the year 1771. This arrangement is no less than a systematic combination among the owners of collieries having their outlets by the Tyne, the Wear, and the Tees, to raise the price of coal to consumers by a self-imposed restriction as to the quantity supplied. A committee appointed from among the owners holds its meetings regularly in the town of Newcastle, where a very costly establishment of clerks and agents is maintained. By this committee, not only is the price fixed at which coals of various qualities may be sold, when sea borne, for consumption within the kingdom, but the quantity is assigned which, during the space of the fortnight following each order or ‘issue,’ the individual collieries may ship. The manner in which this combination is conducted, and the effect

which it must have upon the interests of the consumers, will best be understood by describing the course pursued upon the opening of a new colliery. The first thing to be determined in that case is the rank or 'basis' to be assigned to the colliery. For this purpose one referee is appointed by the owners of the colliery, and another by the coal-trade committee, who, taking into view the extent of the royalty or coal field secured, the size of the pits, the number and power of steam engines erected, the number of cottages built for workmen, and the general scale of the establishment, fix therefrom the proportionate quantity the colliery shall be permitted to furnish towards the general supply, which the directing committee shall from time to time authorize to be issued. The point to be attained by the owners of the colliery is to secure for their establishment the largest basis possible; and with this view it is common for them to secure a royalty extending over from five to ten times the surface which it is intended to work, thus burthens themselves with the payment of possibly 5,000*l.* per annum, or more, of 'dead rent' to the owner of the soil, who, of course, exacts such payment in return for his concession, although his tenants may have no intention of using it. Instead of sinking one or two pits, which would afford ample facility for working the quantity which the mine is destined to yield, a third and possibly a fourth pit are sunk at an enormous expense, and without the smallest intention of their being used. A like wasteful expenditure is made for the erection of useless steam power; and to complete and give an appearance of consistency to the arrangements, instead of building 200 cottages for the workmen, double that number are provided. In this manner a capital of 160,000*l.* to 200,000*l.* may be invested for setting in motion a colliery which will be allowed to raise and sell only such a quantity of coals as might be produced by means of an outlay of one-fourth or one-fifth of that amount. By this wasteful course the end of the colliery owners is attained; they get their basis fixed—if it is a large concern, as is here supposed—say at 50,000, and this basis will probably secure for them a sale of 25,000 chaldrons during the year, instead of 100,000 chaldrons, which their extended arrangements would enable them to raise. The Newcastle committee meet once a fortnight, or twenty-six times in the year, and, according to the price in the London market, determine the quantity that may be issued during the following fortnight. If the London price is what is considered high, the issue is increased, and if low, it is diminished. If the 'issue' is twenty on the 1,000, the colliery here described would be allowed to sell (20×50) 1,000 chaldrons during the ensuing fortnight. The pit and establishment may be equal to the supply of 3,000 or 4,000 chaldrons; orders may be on the books to that extent or more; ships may be waiting to receive the largest quantity, but, under the regulation of the 'vend,' not one bushel beyond the 1,000 chaldrons may be shipped until a new issue shall be made. By this system the price is kept up; and, as regards the colliery owners, they think it more for their advantage

to sell 25,000 chaldrons at 30s. per chaldron, than to sell 100,000 chaldrons at the price which a free competition would bring about. They may be right in this calculation; but if, under the system of restriction, any undue profit is obtained, nothing can be more certain than that competition for a portion of this undue profit will cause the opening of new collieries until the advantage shall be neutralized; and this result of the system is already fast approaching. Every new colliery admitted into the 'vend' takes its share in the 'issues,' and to some extent limits the sales of all the rest. The disadvantage during all this time to the public at large is incontestable. The great staple manufactures of the country, being located in inland coal districts, happily do not suffer from this combination; but in other innumerable processes which require the aid of heat, and which are carried on in cities and places where coal is not found, the addition to the cost of fuel thus occasioned must place the manufacturers at a great disadvantage, while the other inhabitants of those cities, and especially the poor, are very greatly injured by it. The loss to the community at large, through the unprofitable investment of unnecessary capital, no one can dispute.

"There is another consequence resulting from this limitation of the home coal trade which it is necessary to state, as it is productive of great national evil.

"The owners of collieries being restricted in their fortnightly issues to quantities which their establishment enables them to raise in three or four days, are naturally desirous of finding for their men during the remainder of the time some employment which shall lessen the expense of maintaining them in idleness, and spread over a larger quantity of product the fixed expenses of their establishments and their dead rents. To this end coals are raised which must find a sale in foreign countries; and it practically results that the same quality of coals which, if shipped to London, are charged at 30s.6d. per Newcastle chaldron, are sold to foreigners at 18s. for that quantity, giving a preference to the foreign buyer of 40 per cent. in the cost of English coal. By this means the finest kinds of coal which are used in London, at a cost to the consumer of about 30s. per ton, may be had in the distant market of St Petersburg for 15s. to 16s., or little more than half the London price. Nor is this the worst effect of the system. In working a colliery a great proportion of small coal is raised. The cost to the home consumer being exaggerated, and the freight and charges being equally great upon this article as upon round coal, very little small coal finds a market within the kingdom, except on the spot where it is raised; and as the expense of raising it must be incurred, the coal owners must of course seek elsewhere for a market at any price that will exceed the mere cost of putting it on board ship. By this means 'nut coal,' which consists of small pieces, free from dust, which have passed through a screen, the bars of which are five-eighths of an inch apart, are sold for shipment to foreign countries at the low price of 3s. per ton. The intrinsic quality of this coal is quite as good as that of the

round coal from the same pits ; it is equally suitable for generating steam, and for general manufacturing purposes ; and thus the manufacturers of Denmark, Germany, Russia, &c., obtain the fuel they require, and without which they cannot carry on their operations, at a price not only below that paid by English manufacturers, but for much less than the cost at which it can be raised. The coal owner might, it is true, sell this small coal at home at a better price than he obtains from his foreign customer, but every ton so sold would take the place of an equal quantity of large coal, upon which his profit is made, and by such home sale he would by no means lessen the sacrifice, but the reverse.

“ In this way every person who uses sea-borne coal in Great Britain is exorbitantly taxed for the advantage of the rival manufacturers of other countries.”

Connected with the subject of the moral progress of the people Mr Porter gives a statement of the comparative circulation of stamped newspapers in different years, showing both the demand for political information and the effect of a reduction of the newspaper stamp duty in 1836 :—

CIRCULATION OF STAMPED NEWSPAPERS IN THE
UNITED KINGDOM.

| Year. | | | | | Number. | | Net Revenue. |
|-------|-----|-----|-----|-----|------------|----|--------------|
| 1831 | ... | ... | ... | ... | 35,198,160 | .. | £483,153 |
| 1832 | ... | ... | ... | ... | 34,465,860 | .. | 473,238 |
| 1841 | ... | ... | ... | ... | 59,936,897 | .. | 240,416 |
| 1842 | ... | ... | ... | ... | 61,495,503 | .. | ... |

The reduction in the stamp duty in 1836 was nearly four-fifths,* but the loss to the revenue attendant upon the reduction has only been one-half. We believe, however, that a much larger revenue than at present might be realized by a moderate per centage upon the price of newspapers, in lieu of the present fixed duty of one penny. The existing duty is of course prohibitory to all newspapers of the size and price of ‘Chambers’ Journal,’ so that the circulation of daily and even weekly papers is, after all, confined to a very small minority of the population ; but if penny and threehalfpenny newspapers could be published, the sale would be so immense, embracing nearly the whole body of the working classes, that we believe an *ad valorem* duty of ten per cent. on the publishing price would yield a sum more than quadruple the amount of revenue now derived from the penny stamp. But we hold any stamp duty, however levied, to be objectionable on principle, and the present duty was only retained

The duty was 4d. subject to a discount of 20 per cent.

by the Melbourne Administration from a distrust of that liberty of the press which is professedly in this country held in veneration by all parties. It was thought easier to suppress cheap newspapers than to improve their character, or to guard against their licentiousness: suppression was therefore resolved upon, although this was going a step beyond even a censorship; and the reduction of the stamp duty was accompanied by one of the most stringent enactments on the statute book for putting down the unstamped press, the circulation of which in 1838 was stated by Mr Spring Rice (Lord Monteagle) to be 200,000 weekly. With this fact before us it may reasonably be doubted whether the reduction of the newspaper stamp duty has led to any material increase in the number of newspaper readers, although the sale of *stamped* journals has been nearly doubled. It is a striking instance of the effect of the penny stamp that since 1836 not one new daily newspaper has been successfully established; for the number of subscribers to a journal at 6*l.* 10*s.* per annum (5*d.*) is necessarily almost as limited as at the original price of 7*d.* or 9*l.* 2*s.* per annum. Mr Porter does not give us the relative circulation of daily and weekly newspapers, but he tells us that the total number existing in 1842 was 521:—assuming for each a circulation of 5,000 (which is a high average) the number of newspaper buyers would appear to be only 2,605,000 in a population of 27,000,000. Such is the privation of political and commercial information, occasioned by the refusal of the Melbourne Cabinet to abolish (instead of merely reducing) the newspaper stamp duty, and duty on advertisements; a measure urgently pressed upon the Cabinet by a large body of reformers, and their resistance to which we have ever regarded as a disgraceful blot on the character of the Melbourne Administration.

It is some relief from the evidence lately published by Government Commissions, showing the moral and intellectual degradation of large classes among our countrymen, to turn to the facts cited by Mr Porter, in proof of the position that society on the whole is not retrograding, and that the present moral state even of the lowest sections of the people, however bad, is at least better than the past.

A curious anecdote, related by Sir Walter Scott, is illustrative of a favourable change of manners in the middle classes, and the evidence of Mr F. Place proves that the lower classes have not remained stationary.

“A grand-aunt of my own (says Sir Walter Scott) Mrs Keith of Ravenstone, who was a person of some condition, being a daughter of Sir John Swinton of Swinton, lived with unabated vigour of intellect to a very advanced age. She was very fond of reading, and enjoyed it to

the last of her long life. One day she asked me, when we happened to be alone together, whether I had ever seen Mrs Behn's novels? I confessed the charge. Whether I could get her a sight of them? I said, with some hesitation, I believed I could, but that I did not think she would like either the manners or the language, which approached too near that of Charles the Second's time to be quite proper reading. 'Nevertheless,' said the good old lady, 'I remember their being so much admired, and being so much interested in them myself, that I wish to look at them again.' To hear was to obey. So I sent Mrs Aphra Behn, curiously sealed up, with 'private and confidential' on the packet, to my gay old grand-aunt. The next time I saw her afterwards she gave me back Aphra, properly wrapped up, with nearly these words—'Take back your bonny Mrs Behn, and if you will take my advice put her in the fire, for I found it impossible to get through the very first novel. But is it not,' she said, 'a very odd thing that I, an old woman of eighty and upwards, sitting alone, feel myself ashamed to read a book which sixty years ago I have heard read aloud for the amusement of large circles, consisting of the first and most creditable society in London.'"

"The Report of the Select Committee of the House of Commons, appointed in 1835 to inquire into the state of the education of the people in England and Wales, contains an amount of information concerning the increased and increasing decency of deportment within the present age which is of the highest value. Among the many witnesses examined was Mr Francis Place, who for half a century has been an attentive observer of the condition and conduct of the working people in London, and to a considerable extent throughout the kingdom generally. Scenes and events which he relates as being of common every-day occurrence when he was an apprentice, are such as would be unbearable now, and have wholly ceased. Speaking of the habits of tradesmen and masters, he says, 'The conduct of such persons was exceedingly gross as compared with the same class at the present time. Decency was a very different thing from what it is now; their manners were such as scarcely to be credited. I remember, when a boy of ten years of age, being at a party of twenty, entertained at a respectable tradesman's, who kept a good house in the Strand, where songs were sung which cannot now be more than generally described from their nastiness, such as no meeting of journeymen in London would allow to be sung in the presence of their families. There were then few rational employments at home: the men were seldom at home in the evening, except there were card-playing and drinking: they spent their time in a very useless and but too generally a mischievous manner. I made inquiries a few years ago, and found that between Temple bar and Fleet market there were many houses in each of which there were more books than all the tradesmen's houses in the street contained when I was a youth. The ballads sung about the

* 'Lockhart's Life of Scott,' vol. v pp. 136, 137.

streets, and the books openly sold, cannot be adequately described. I have given you in writing words of some common ballads which you would not think fit to have uttered in this committee. At that time the songs were of the most indecent kind; no one would mention them in any society now; they were publicly sung and sold in the streets and markets. Books were openly sold in shops of booksellers in leading streets which can only be procured clandestinely now. I have seen the Prayer Book, the Racing Calendar, and these books, bound alike, side by side in very respectable shop windows in the leading streets. Between Blackfriars and Westminster hall there were fourteen clubs under the name of cock-and-hen clubs. I attended several of them when I was an apprentice. There was one in the Savoy, where a girl used to sit at one end of the table and a boy at the other; I have seen the chairs placed upon the table; the amusements were smoking, drinking, swearing, and singing obscene songs; what else followed you may easily conclude. I do not believe there has been a club of the sort for many years past within the same space. There are a few of them still in London, but very few; they are held in very obscure places, and frequented by the very worst of the community. The places of public resort, the tea-gardens, were formerly as notorious as they were infamous. The Dog and Duck, for instance; I have been there when almost a mere boy, and seen the flashy women come out to take leave of the thieves at dusk, and wish them success. The Apollo Gardens was another of these infamous places; it was opened under the pretence of musical entertainments; and there was the Temple of Flora; it was a long gallery fitted up in a superb manner, and when lighted, was a very fascinating place; there were boxes where boys and girls and men and women assembled; there were also close or private boxes. Another of those places was the Bull in the Pound, Spa fields, frequented by thieves and dissolute people. In Gray's-inn lane was the Blue Lion, commonly called the Blue Cat; I have seen the landlord of this place come into the long room with a lump of silver in his hand, which he had melted for the thieves, and pay them for it. There was no disguise about it; it was done openly: there is no such place now. The amusements of the people were all of a gross nature. We hear much talk of the desecration of the Sabbath, but it was much more desecrated formerly. At the time I am speaking of, there were scarcely any houses on the eastern side of Tottenham court road; there and in the Long fields were several large ponds; the amusements here were duck-hunting and badger-baiting; they would throw a cat into the water and set dogs at her; great cruelty was constantly practised, and the most abominable scenes used to take place. It is almost impossible for any person to believe the atrocities of low life at that time, which were not, as now, confined to the worst paid and most ignorant of the populace. I am not aware of any new vice having sprung up among the peo-

ple; there has been a decrease of vice in every respect, and a great increase of decency and respectability.' ”

The care with which statistics of crime are now prepared, as compared with that of any former period, and the superior efficiency of modern police, lead to the production of tables which would seem to indicate an increase of crime more than proportionate to the increase of the population, but the proofs are by no means conclusive, and it is satisfactory to find, from even the same tables, that crimes of the first class “offences against the person” have diminished in number, while the great increase observed has been in “crimes against property” committed without violence, of the class which in the days of Jonathan Wild but rarely occupied the attention of the Courts, from the hopelessness of redress.

It should also be observed that crimes may increase in almost a geometrical ratio, with a very slight increase in the number of criminals, because every new offence does not necessarily imply a new offender, but almost the contrary, as (in petty larceny cases especially) there are few criminals who have not been many times committed upon similar charges. The difference of increase between the ratio of crimes and the ratio of criminals will be seen, if we suppose every common thief to commit four robberies in a year—thus :

| Number of Thieves. | | | | | Number of Thefts. | |
|--------------------|-----|-----|-----|-----|-------------------|----|
| 1 | ... | ... | ... | ... | ... | 4 |
| 2 | ... | ... | ... | ... | ... | 8 |
| 3 | ... | ... | ... | ... | ... | 12 |
| 4 | ... | ... | ... | ... | ... | 16 |
| 5 | ... | ... | ... | ... | ... | 20 |
| 6 | ... | ... | ... | ... | ... | 24 |

The influence of education in the repression or prevention of crimes against property is forcibly put by Mr Porter:—

“In fifteen English counties, with a population of 9,569,064, there were convicted seventy-four instructed persons, or one to every 129,311 inhabitants; while the twenty-five remaining counties of England and the whole of Wales, with a population of 6,342,661, did not among them furnish one conviction of a person who had received more than the mere elements of instruction. It will be remembered as a most interesting fact, one which speaks irresistibly in favour of a general system of education, that not one of the 109 was a female!”

But a stronger case is adduced:—

“The early settlers of the province of Nova Scotia were so fully impressed with the necessity of imparting instruction to the people, that ample provision was made by them, and has been continued by

their descendants to the present day, for the support of schools, so that not a child is brought up in the province without receiving a considerable amount of instruction combined with moral training. The result has been most gratifying. When conversing with a gentleman from Halifax, a barrister and member of the provincial parliament, and a most intelligent man,* concerning the condition in various respects of the Nova Scotian population, a question was put to him on the state of crime within the province, to which he gave this striking answer,—‘Crime! we have no crime.’ When urged to explain how far this reply was to be received in a literal sense, he added,—‘I do not mean that people never quarrel in Nova Scotia; brawls do sometimes occur, although not very frequently; but as to crime, understanding by the term offences for which men are brought to the bar of justice in England, I repeat that it does not exist.’ The cause of this truly enviable state of society was made apparent when he described the means employed for imparting universal education, and added, as a consequence of the high degree of intelligence thereby developed, that every person could find employment and could support himself and his family upon the fruits of his industry.

“Nor do these facts rest upon individual or private testimony only. The return made to the Colonial office in London of the condition in various respects of the province in the year 1841, the latest yet accessible, has been examined, and fully bears out the above description. In that portion of the volume (known officially as ‘the blue book’) in which forms are given for returns under the head of gaols and prisoners, all that appears is the following note:—‘No account is kept under the heads of this return, which are wholly inapplicable to the gaols in Nova Scotia, where crimes are of rare occurrence and imprisonment for debt is infrequent. There is at least one gaol in each county, under the jurisdiction of the superior court, superintended by the high sheriff or his gaoler, but there are not any officers of prisons appointed.’

“The population of Nova Scotia, according to a census taken in 1838, amounted to 178,237 souls. There were in 1841, in public schools, chiefly in Halifax, 1,902 scholars; in colleges 138; but in addition to these there were ‘more than 600 common schools, and thirty combined common and grammar schools, at which upwards of 20,000 children were instructed. These schools are supported partly by grants of the legislature and partly by the subscriptions of the inhabitants. The total amount contributed by the province in 1841 in promoting education exceeded 6,000*l*.’ The revenues of the province in that year amounted to 93,882*l*. 18*s*. 2*d*.

“If the contribution of the imperial parliament for the promotion of education in Great Britain were on the same scale of liberality as that adopted in Nova Scotia, taken with reference to population, the yearly vote would amount to 624,000*l*.; but if made proportionally

* Mr G. R. Young.

to the revenues of the two communities, it would amount to more than five times that sum, and even then would not absorb one-half of the revenue derived in Great Britain from the consumption of ardent spirits.

"In a work of great authority, published several years ago, we find the following passage, corroborative of the facts and their consequences here brought forward. 'It is a matter of doubt whether more general and useful knowledge among all grades of the population can be discovered in any country than will be found to prevail in this province (Nova Scotia). Many of those born and educated in it have distinguished themselves not only at home, but in different parts of the world, and the natives generally possess a ready power of apprehension, a remarkably distinct knowledge of the general affairs of life, and the talent of adapting themselves to the circumstances of such situations as chance, direction, or necessity may place them in.'*

"In the island of Iceland there is no such thing to be found as a man or woman—not decidedly deficient in mental capacity—who cannot read and write well, while the greater part of all classes of the inhabitants have mastered several of the higher branches of education, including a knowledge of modern languages and an acquaintance with classical literature.

"Placed on the verge of the arctic circle, the Icelanders are subjected to the hardships of a long and rigorous winter, during which there are but few hours of the day in which it is possible for them to pursue out-door occupations. These apparently unfavourable circumstances they have with the highest degree of wisdom rendered productive of the choicest of human blessings—the enlightenment of their minds and the raising of their moral characters. Some part of the long evening is employed in teaching the children of the family; and so universal is this practice that in the whole island there is but one school, which is exclusively used for the highest branches of professional education. After this part of the family duty has been performed, the whole household is assembled—servants and all—and some book is read aloud, each person present taking his turn in reading. After this there usually follows a discussion relating to what has been read, and in which all unreservedly join, and the evening is not suffered to close without engaging in religious exercises.

"Every account of these people that has been published agrees in describing them as gentle and peaceable in their dispositions, sober, moral, and religious in their habits. Crimes among them are hardly known. The house of correction at Reikiavich, the capital of the island, after having stood empty for years, was at length converted into a residence for the governor, by whom it has since been occupied. The island is subject to the penal code of Denmark, which

* 'British America,' by John M'Gregor, Esq. Vol. i, page 405. Second edition.

awards the penalty of death to murder and some other heinous offences. It is said that only three or four capital convictions have occurred during the last two centuries; the last of these happened some years before the visit of Sir G. Mackenzie and Dr Holland in 1810; it was of a peasant for the murder of his wife, and on that occasion it was not possible to find any one on the island who could be induced to perform the office of executioner, so that it became necessary to send the man to Norway that the sentence might be carried into effect. It is worthy of remark, that from the first settlement of the island by a Norwegian colony in the ninth century, to the acknowledgment of the King of Norway, and during the six centuries which have since elapsed, no armed force has ever been raised on or introduced into the island."

Mr Baines of Leeds, and some other writers, have taken pains to discredit the statements of the factory inspectors as to the alleged deficiency of education in this country, but the fact of such deficiency can no longer be disputed by any one who has taken the trouble to refer to the tables of the registrar-general. Mr Lister has caused an account to be kept of the number of marriages in which the marriage register is duly signed, with the names of the parties united, in their own hand writing, or signed only with a mark, and the following is the startling result:—

"In the whole of England and Wales, among 367,894 couples married during three years, it appears that there were 122,458 men and 181,378 women who either could not write at all, or who had attained so little proficiency in penmanship that they were averse to the exposure of their deficiency. The numbers so subscribing the marriage register in each year were,—

| Year ending 30th June. | Number of Marriages. | Persons affixing Marks | |
|---------------------------|-------------------------|------------------------|-----------------|
| | | Men. | Women. |
| 1839 | 121,083 | 40,587 | 58,959 |
| 1840 | 124,329 | 41,812 | 62,523 |
| 1841 | 122,482 | 40,059 | 59,896 |
| | <hr/> 367,894 | <hr/> 122,458 | <hr/> 181,378 " |

With this conclusive evidence in favour both of the utility and necessity of popular instruction, we must dismiss a volume which it would be feeble and inadequate praise to describe as one of the most useful publications of the day, and which contains a mine of information upon every question of national interest.

H.

- ART. VII.—1. *Home ; or Family Cares and Family Joys*. By Frederika Bremer. Translated by Mary Howitt. Longman.
2. *Misé Brun*. Par Mme Ch. Reybaud (*Revue des deux Mondes*).
3. *Martin Chuzzlewit*. No 1 to 10. Chapman and Hall.
4. *Tales of the Colonies*. By a Colonial Magistrate. Saunders and Otley.

WE could ill spare the time to read, and still less to criticize, the contents of all the new novels that appear during the quarterly intervals of publication of the 'Westminster Review;' but our attention has been directed to four works, the titles of which we have placed above, and upon these we will make a few comments.

Each has a character essentially different from the rest: the first in the list is fairly entitled to the first place in public estimation. Many thanks to Mary Howitt for our introduction to Frederika Bremer. This lady's writings have indeed proved an agreeable surprise, and their novelty is that of the announcement by Columbus of a new world. Germany is not celebrated for female authors: its learned professors affect to speak lightly of female qualifications for literary usefulness, and nobody thought of Sweden. Indeed, if Sweden had been mentioned as a country which might possess a modern literature worth exploring, the reply would probably have been, "Can any good come out of Nazareth?" for one of our latest northern travellers had brought up such an ill report of the land that Sweden was perhaps the last country from which would have been expected moral lessons calculated to win and improve all hearts, and to add to the purity and happiness of even pure and happy English homes.

This is another of our obligations to Mary Howitt; she has enabled us, in the pages of Frederika Bremer, to obtain far more correct "glimpses of life in Sweden" than had been afforded us by the statistical documents of Mr Laing; who in his few weeks' tour of the public offices had collected sufficient data, as he imagined, to prove that the most criminal population of Europe, in regard to the number of inhabitants and extent of soil, was that of Sweden. We are glad that this delusion has been dispelled; it was one which had but little influence upon the few accustomed to the ambiguities and inaccuracies of statistical returns; but an unfavourable impression of Sweden was left on the public mind, which the writings of Frederika Bremer must tend wholly to remove. Without any intention of writing to defend her country, or of clearing its sullied fame, and without

even a suspicion that her works would find readers in other languages than her own, she has quietly demonstrated the existence in Sweden of habits of domesticity, and of strong family and social ties, utterly irreconcilable with the pursuits of a generally demoralized population.

It seems curious that fiction should be a better medium for truth than dry unimagined fact; but from the days of *Æsop* to the present, the clearest images to the mind are those conveyed by the fable, parable, or tale. The best evidence upon all subjects is that which is incidental rather than direct. To obtain an insight into the real character of a people we would to some extent trust a popular novel beyond a work of elaborate description, however exact. What better description was ever written of manners and customs in the East than that of the 'Arabian Nights' Entertainments? We take up Davis's Chinese for the topographical, statistical, and historical information it contains, but do we want to know how the Chinese think and feel and act among themselves in their own social circles, we gather it best from a Chinese novel; less from what the writer has told than from what he has unintentionally betrayed. Modern European novels have equally their characteristic features, from which much knowledge may be gleaned of the real heart of a nation. The popularity of 'Jack Sheppard' among large classes of this country gives a true idea, although not a favourable one, of the moral tone and intellectual powers of perhaps some thousands, to whom such a novel as 'Home' would be the embodied essence of insipidity and dulness; and the popularity of the works of Frederika Bremer in her own country is alone a fact to mark, not that there are no 'Jack Sheppard' readers in Sweden, but that there is also at least a reading public there of better tastes and higher sympathies than has been enlisted with us by the perilous adventures of a Newgate thief.

Happily, however, in Great Britain there is yet a numerous circle of readers to welcome a new Maria Edgeworth and Harriet Martineau in Frederika Bremer; but we doubt (and this is another illustration of our argument) whether her novels, if published in France, would find sufficient buyers to defray the expense of an edition. 'Home,' we are satisfied, in the fashionable circles of Paris could not be understood, and perhaps in all France there is no such home as that of 'Judge Frank' and his amiable family. A morbid taste in the French reading public is indicated in the class of fictions most eagerly devoured. The 'Journal des Débats,' at foot of its political lucubrations, publishes daily some tale of mystery and crime of the lowest Jack Sheppard school. The 'Revue des deux

Mondes, a work of the same standing as the 'Quarterly Review' in England, but appearing fortnightly, publishes, along with criticisms and essays of the highest talent, some story of intrigue which would scarcely be tolerated in an English dress; and here, in the number lying before us, we have the commencement of a tale entitled 'Misé Brun'—in the first chapter of which we find a murder and the beginning of a "liaison" between the wife of an honest man and the leader of a band of assassins. It is refreshing to turn from these artificial horrors to nature and the life-like portraits of Frederika Bremer, even though, in the writings of the latter, but little skill is manifested in the construction of a plot, and her tales appear rather as charming family biographies than novels. The story of 'Home' is simply the history of a family of the middle class, composed of husband and wife and children, to whom no events happened more extraordinary than those which to most of us are of everyday occurrence. The children grow up under the eye of the parents—some of them marry, and one dies: these are the main circumstances of the plot—slight materials they would seem, and yet out of these we have a work remarkable for beauty, originality, and power.

The story opens with a sketch of the mother, in a letter to a friend, of the character of her children, from the first-born, her "summer child," a boy of eleven, to number six, the "two years old Gabriele," the pet child of the home, "the youngest, loveliest, the so-called little one, to her who with her white hands puts the sugar into her father's and mother's cup—the coffee without that would not taste good—to her whose little bed is not yet removed from the chamber of the parents, and who every morning, creeping out of her own bed, lays her bright curly little head on her father's shoulder, and sleeps again."

The eldest daughter is styled the "Little Queen Bee."

"A grave, fair girl, of ten years old, not handsome, but with a round, sensible face, from which, I hope, by degrees, to remove a certain ill-tempered expression. She is uncommonly industrious, silent, and orderly, and kind towards her younger sisters, although very much disposed to lecture them; nor will she allow any opportunity to pass in which her importance as 'eldest sister' is not observed, on which account the little ones give her the titles of 'Your Majesty,' and 'Mrs Judge.'"

But among all the children our favourite is Petrea, unfortunately rendered a plain child by the disproportionate development of one of her features at the expense of the rest, for—

"Whatever will fate do with the nose of my Petrea? This nose is at present the most remarkable thing about her little person; and

if it were not so large, she really would be a pretty child. We hope, however, that it will moderate itself in her growth. ,

• “ Petrea is a little lively girl, with a turn for almost everything, whether good or bad ; curious, restless, and beyond measure full of failings, she has a dangerous desire to make herself observed, and to excite an interest. Her activity shows itself in destructiveness ; yet she is good hearted and most generous. In every kind of foolery she is a most willing ally, with Henrick and Eva, whenever they will grant her so much favour ; and if these three be heard whispering together, one may be quite sure that some roguery or other is on foot. There exists already, however, so much unquiet in her, that I fear her whole life will be such ; but I will early teach her to turn herself to that which can change unrest into rest.”

We will confine ourselves to the fortunes of Petrea, for in our limited space for extract it will be impossible to give a just idea of the many admirable delineations and delightful home sketches which abound in the work.

“ We are all of us somewhat related to Chaos ; Petrea was very closely so. Momentary bursts of light and long periods of confusion alternated in her. There was a great dissimilarity between Louise and Petrea. While Louise required six drawers and more to contain her possessions, there needed scarcely half a one for the whole wardrobe of Petrea ; and this said wardrobe too was always in such an ill-conditioned case, that it was, according to Louise, quite lamentable, and she not unfrequently lent a helping hand to its repair. Petrea tore her things, and gave away without bounds or discrimination, and was well known in the sisterly circle for the bad state of her affairs. Petrea had no turn for accumulation ; on the contrary, she had truly, although Louise would not allow it, a certain turn for art.

“ She was always occupied by creations of one kind or another, either musical, or architectural, or poetical. But all her creations contained something of that which is usually called trash. At twelve years of age she wrote her first romance :—‘ Annette and Belas loved each other tenderly ; they experienced adversity in their love ; were at last, however, united, and lived henceforth in a charming cottage, surrounded with hedges of roses, and had eight children in one year,’ which we may call a very honourable beginning. A year afterwards, she began a tragedy, which was to be called ‘ Gustavus Adolphus and Ebba Brahe,’ and which opened with these verses, spoken by one Delagardie :—

“ ‘ Now from Germania’s coast returned,
I see again the much-loved strand ;
From war I come, without a wound,
Once more into my native land.
Say, Bannér, say, what woe has caused these tears,
Am I not true to thee, or is it idle hope
Alone that will befool my years ?’

"Whether no sheet of paper was broad enough to contain the lengthened lines, or any other cause interfered to prevent the completion of the piece, we know not; but certain it is that it was soon laid aside. Neither did a piece of a jocular nature, which was intended to emulate the fascinating muse of Madame Leungreu, advance much farther; the beginning was thus:—

" ' Within the lordly castle Elfvukolastic,
Which lay, in sooth, somewhere, in Sverge,
There lived of yore the lovely Melanie,
The only daughter of Count Sjerneberge.'

"At the present time Petrea was engaged on a poem, the title of which, written in large letters, ran thus—'The Creation of the World!'

" ' The Creation of the World ' began thus:—

" ' CHAOS.

" ' Once in the depths etern of darkness lying,
This mighty world
Waited expectantly the moments flying
When light should be unfurled.
The world was nothing then, which now is given
To crowds of busy men;
And all our beautiful star-spangled heaven
Was desolate darkness then;
Yet He was there, who before time existed,
Who will endure for ever.'

" ' The Creation of the World ' ceased with this faint glimmering of light, and was probably destined, under Petrea's hand, never to be brought forth from Chaos. Petrea had an especially great inclination for great undertakings, and the misfortune to fail in them. This want of success always wounded her deeply, but in the next moment the impulse of an irresistibly vigorous temperament raised her above misfortune in some new attempt. The blood rushed up to her young head, and filled it with a mass of half-formed thoughts, fancies, and ideas. Her mind and her character were full of disquiet. At times, joyous and wild beyond bounds, she became on the other hand wretched and dispirited without reason. Poor Petrea! She was wanting in every kind of self-regulation and ballast, even outwardly; she walked ill—she stood ill—she curtsyed ill—sate ill, and dressed ill; and occasioned, in consequence, much pain to her mother, who felt so acutely whatever was displeasing; and this also was very painful to Petrea, who had a warm heart, and who worshipped her mother.

"Petrea also cherished the warmest affection and admiration for Sara, but her manner of evidencing her affection was commonly so entirely without tact, as rather to displease than please the object of it. The consciousness of this fact embittered much of Petrea's life, but it conducted her by degrees to a love in which tact and address are of no consequence, and which is never unreturned.

“ Sometimes Petrea was seized with a strong consciousness of the chaoticness of her state ; but then, again, at other times she would have a presentiment that all this would clear itself away, and then that something, which was quite out of the common way, would come forth ; and then she was accustomed to say, half in jest and half in earnest, to her sister, ‘ You’ll see what I shall turn out some time ! ’ But in what this extraordinary turning out should consist nobody knew, and least of all poor Petrea herself. She glanced full of desire towards many suns, and was first attracted by one and then by another.

“ Louise had for Petrea’s prophesyings great contempt, but little Gabriele believed in them all. She delighted herself, moreover, so heartily in all that her sister began, that Petrea sacrificed to her her most beautiful gold paper temple ; her original picture of shepherdesses and altars ; and her island of bliss in the middle of peaceful waters, and in the bay of which lay a little fleet of nutshells, with rigging of silk, and laden with sugar work, and from the motion of which, and the planting of its wonderful flowers, and glorious fruit-bearing trees, Petrea’s heart had first had a foretaste of bliss.

“ Petrea’s appearance imaged her soul ; for this, too, was very variable ; this, too, had its ‘ raptures ; ’ and here too at times a glimmering light would break through the chaos. If the complexion were muddled, and the nose red and swollen, she had a most ordinary appearance ; but in cooler moments, and when the rose-hue confined itself merely to the cheeks, she was extremely good looking ; and sometimes, too, and that even in her ugly moments, there would be a gleam in her eye, and an expression in her countenance, which had occasioned Henrick to declare that ‘ Petrea was, after all, handsome.’

“ To a chaotic mind the desire for controversy is in-born ; it is the conflict of the elements with each other. There was no subject upon which Petrea had not her conjectures, and nothing upon which she was not endeavouring to get a clear idea ; on this account she discussed all things, and disputed with every one with whom she came in contact ; reasoned, or more properly made confusion, on politics, literature, human free-will, the fine arts, or anything else ; all which was very unpleasant to the tranquil spirit of her mother, and which, in connexion with want of tact, especially in her zeal to be useful, made poor Petrea the laughing stock of every one : a bitter punishment this, on earth, although before the final judgment seat of very little or of no consequence at all.”

Poor Petrea : but her peculiar temperament was not the only source of her troubles. What girl of fifteen beholding herself in the glass with an ugly nose could resist the desire to improve to the utmost this disagreeable feature on the approach of her first ball.

“ Petrea’s nose was, as we have often remarked, large and somewhat clumsy. Petrea had great desire to unform it, particularly for the approaching festivities.

“ ‘What *have* you done to your nose?’ ‘What is amiss with your nose?’ were the questions which assailed Petrea on all sides, as she came down to breakfast on the morning of the journey.

“ Half laughing and half crying, Petrea related how she had made use of some innocent machinery during the night, by which she had hoped somewhat to alter the form of this offending feature, the consequence of which had unfortunately been the fixing a fiery red saddle across it, and a considerable swelling beside.

“ ‘Don’t cry, my dear girl,’ said her mother, bathing it with oatmeal water, ‘it will only inflame your nose the more.’

“ ‘Ah!’ burst forth poor Petrea, ‘anybody is really unfortunate who has such a nose as mine! What in the world can they do with it? They must go into a convent.’

“ ‘It is very much better,’ said the mother, ‘to do as one of my friends did, who had a very large nose, much larger than yours, Petrea.’

“ ‘Ah, what did she do?’ asked Petrea eagerly.

‘She made herself so beloved, that her nose was beloved too,’ said her mother. ‘Her friends declared that they saw nothing so gladly as her nose, as it came in at the door, and that without it she would have been nothing.’

“ Petrea laughed, and looked quite cheerful. ‘Ah,’ said she, ‘if my nose can be but beloved, I shall be quite reconciled to it.’”

This ball is a great event in the simple history of the Frank family, but its anticipated pleasures had many alloys to Petrea. Her unfortunate nose proved the repelling pole of the magnet which might otherwise have attracted to her an eligible partner.

“ It was the sixth dance, and Petrea was sitting yet. She felt her nose red and swollen. ‘See now,’ thought she, ‘farewell to all hopes of dancing! It must be that I am ugly, and nobody will look at me!’ At the same moment she was aware of the eye of her mother fixed upon her with a certain expression of discomfort, and that glance was to her like a stab at the heart; but the next moment her heart raised itself in opposition to that depressing feeling which seemed about to overcome her. ‘It is unpleasant,’ thought she, ‘but it cannot be altered, and it is no fault of mine! And as nobody will give me any pleasure, I will even find some for myself.’

“ Scarcely had Petrea made this determination than she felt herself quite cheered; a spring of independence and freedom bubbled up within her; she felt as if she were able even to take down the chandelier from the ceiling, and all the more so when she saw so many life-enjoying people skipping around her.

“ At this moment an old gentleman rose up from a bench opposite Petrea, with a tea-cup in his hand. In a mania of officiousness she rushed forward in order to assist him in setting it aside. He drew himself back and held the cup firmly, whilst Petrea, with the most firm and unwearying ‘Permit me, sir,’ seemed determined to take

it. The strife about the cup continued amid the unending curtsies of Petrea, until a passing waltzing couple gave a jostle, without the least ceremony whatever, to the compliment-makers, which occasioned a shake of the tea-cup, and revealed to Petrea the last thing in the world which she had imagined, that the cup was not empty! Shocked and embarrassed, she let go her hold, and allowed the old gentleman, with what remained of his cup of tea, to go and find out for himself a securer place.

"Petrea seated herself, she hardly knew how, on a bench near an elderly lady, who looked at her very good-naturedly, and who helped very kindly to wipe off the ablution of tea which she had received. Petrea felt herself quite confidential with this excellent person, and inquired from her what was her opinion of Swedenberg? beginning also to give her own thoughts on spectral visions, ghosts, &c. The lady looked at her, as if she thought she might be a little deranged, and then hastened to change her place.

"A stout military gentleman sat himself down ponderously, with a deep sigh, on the seat which the old lady had left, as if he were saying to himself, 'Ah, thank God! here I can sit in peace!' But, no! he had not sate there three minutes and a half, when he found himself called upon by Petrea to avow his political faith, and invited by her to unite in the wish of speedy war with Russia. Lieutenant-Colonel Ub—— turned rather a deaf ear to the battery by which his neighbour assailed him, but for all that he probably felt it not the less heavy, because, after several little sham coughs he rose up, and left our Petrea alone with her warlike thoughts.

"She also rose, from the necessity she felt of looking elsewhere for more sympathy and interest.

"'In heaven's name, dear Petrea, keep your seat!' whispered Louise, who encountered her on her search for adventures.

"Petrea now cast her eyes on a young girl who seemed to have had no better dancing fortune than herself, but who seemed to bear it much worse, appeared weary of sitting, and could hardly refrain from tears. Petrea, in whose disposition it lay to impart to others whatever she herself possessed—sometimes overlooking the trifling fact that what she possessed was very little desired by others—and feeling herself now in possession of a considerable degree of prowess, wished to impart some of the same to her companion in misfortune, and seated herself by her for that purpose.

"'I know not a soul here, and I find it so horribly wearisome,' was the unasked outpouring of soul which greeted Petrea, and which went directly to her sympathizing heart.

"Petrea named every person she knew in the company to the young unfortunate, and then, in order to escape from the weight of the present, began to unfold great plans and undertakings for the future. She endeavoured to induce her new acquaintance to give her her *parole d'honneur* that she would some time conduct a social theatre with her, which would assist greatly to make social life more

interesting; and further than that, that they should establish together a society of Sisters of Charity in Sweden, and make a pilgrimage to Jerusalem; furthermore, that they would write novels together; and that on the following day, or more properly in the night, they would rise at half-past two o'clock, and climb to the top of a high mountain in order to see the sun rise; and finally, after all these and sundry other propositions, Petrea suggested to her new acquaintance a thee-and-thou friendship between them! But, ah! neither Petrea's great prowess, nor her great plans; neither the social theatre, nor the pilgrimage to Jerusalem; least of all the thee-and-thou friendship, availed anything towards enlivening the churlish young girl. Petrea saw plainly that an invitation to dance would avail more than all her propositions, so, sighing deeply because she was not a man to offer so great a pleasure, she rose up, and left the object of her vain endeavours."

But fortune at last, through the kind interposition of a friend, seemed to smile upon Petrea:

"A young officer presented himself before her in splendid uniform, with dark eyes, dark hair, large dark moustache, martial size, and very martial mien. Petrea had no occasion, and no disposition either to return anything but a 'Yes,' to this son of Mars. In fact, she never expected to receive a more honourable invitation; and a few minutes later she found herself standing close beside the chair of the Countess Solenstrole, dancing in the same quadrille with the Aftoustjernas, and *vis-à-vis* with the Candidate. Petrea felt herself highly exalted, and would have been perfectly prosperous had it not been for her restless demon, which incessantly spurred her with the desire of coming in closer contact with the beautiful, magnificent lady to whom she stood so near. To tread upon her foot or her dress might, it is true, have furnished an easy occasion for many fine and reverential excuses; but, at the same time, this would be neither polite nor agreeable. To fall in some kind of way before her feet, and then, when graciously raised by the countess, to thank her in a verse, in which the sun played a conspicuous part, would have been incontestably better; but now—Petrea must dance on!

"Was it that our Petrea was really so addled (if people will graciously allow us such an expression) that she had no right power over her limbs, or did it happen from want of ballast, in consequence of the slender dinner she had eaten, or was it the result of her usual distraction—we know not; but this much is certain, that she in *chassé-ing* on the right hand, on which she had to pass her *vis-à-vis*, made an error, and came directly up to him. He withdrew to the other side, but Petrea was already there; and as the Candidate again withdrew to the right, there was she again; and amid all this *chassé-ing* her feet got so entangled with his, that as he made a despairing attempt to pass her, it so happened that both fell down in the middle of the quadrille!

"When Petrea, with tears in her eyes, again stood upright, she saw before her the eye-glass gentlemen, the two brothers B., who were nearly dying with laughter. A hasty glance convinced Petrea that her mother saw nothing of it; and a second glance, that she had *now* attracted the attention of the Countess Solenstrolé, who was smiling behind her fan. The first observation consoled her for the last; and she fervently assured Jacobi, who was heartily distressed on her account, that she had not hurt herself; that it signified nothing; that it was her fault, &c. &c.; cast a tranquil glance on the yet laughing gentlemen, and *chassée* boldly back again. But what, however, made the deepest impression on Petrea, was the conduct of her partner, and his suddenly altered behaviour. He brought the continued and unbecoming merriment of the brothers B. to an end by one determined glance; and he, who had hitherto been parsimonious of words, and who had only answered all her attempts at being entertaining by a 'yes' or a 'no,' now became quite conversable, polite, and agreeable, and endeavoured in every possible way to divert her attention from the unpleasant accident which had just occurred, engaging her moreover for the *Anglaise* after supper. Petrea understood his kindness; tears came into her eyes, and her heart beat for joy at the thought of hastening to her mother after the quadrille and saying, 'Mamma, I am engaged for the *Anglaise* after supper.'

"But no thought, no feeling, could remain in tranquillity with the poor little 'chaos;' so many others came rushing in, that the first were quite effaced. Her first impression of the kindness of Lieutenant Y. was, 'how good he is!' the second was, 'perhaps he may endure me!' And hereupon a flood of imagined courtesy and courtship poured in, which almost turned her head. But she would not marry, heaven forbid! yet still it would be a divine thing to have a lover, and to be one's-self 'an object' of passion, like Sara and Louise. Perhaps the young Lieutenant Y. might be related to the Countess Solenstrolé, and, oh, heavens! how well it would sound when it was said, 'A nephew of the Countess Solenstrolé is a passionate admirer of Petrea Frank!' What a coming forth that would be! a less thing than that might make one dizzy. Petrea was highly excited by these imaginings, and was suddenly changed by them into an actual coquette, who set herself at work by all possible means to enslave 'her object;' in which a little, and for the moment very white, hand (for even hands have their moments), figuring about the head, played a conspicuous part. Petrea's amazing animation and talkativeness directed the eye-glass of her mother—for her mother was somewhat short-sighted—often in this direction, and called forth glances besides from Louise, which positively would have operated with a very subduing effect, had not Petrea been too much excited to remark them. The observations and smiles of her neighbours Petrea mistook for tokens of applause; but she deceived herself, for they only amused themselves with the little coquetting, but not very

dangerous lady. Lieutenant Y., nevertheless, seemed to find pleasure in her liveliness, for when the quadrille was ended, he continued a dispute which he had commenced during it, and for this purpose conducted her into one of the little side rooms, which strengthened her in the idea of having made a conquest. Isabella Aftoustjerna was singing there a little French song, the refrain of which was,—

“ ‘Hommage à la plus belle,
Honneur au plus vaillant.’ ”

The world was all brightness to Petrea; the song carried her back to the beautiful days of knighthood. Lieutenant Y. appeared to her as the ideal of knightly honour, and the glass opposite showed her own face and nose in such an advantageous light, that she, meeting herself there all beaming with joy, fancied herself almost handsome. A beautiful rose tree was blossoming in the window, and Petrea, breaking off a flower, presented it to the Lieutenant, with the words,—

“ ‘Honneur au plus vaillant.’ ”

Petrea thought that this was remarkably striking and *à propos*, and secretly expected that her knight would lay the myrtle spray with which he was playing at her feet, adding very appropriately,—

“ ‘Hommage à la plus belle.’ ”

“ ‘Most humble thanks!’ said Lieutenant Y., taking the rose with misfortune-promising indifference.”

The bright vision soon fades; the knight is faithless, and gives her rose to another; but there were deeper disappointments in after life for Petrea, which, however, we must pass with the remark, that they were bravely endured and finally overcome. Her history closes with her own reflections upon the frustration of early hopes, and the consolations which yet remain to a mind with sources of enjoyment within itself.

“ PETREA TO IDA.

“ From my Hermitage in the Garret.

“ ‘Illusions! illusions!’ you cry over all joys, all faith, all love, in life. I shout back with all my might over your own words, ‘Illusions! illusions!’ All depends upon what we fix our faith and our affections. Must the beauty of love and worth of life be at an end to woman when her first spring, her bloom of love, her moments of romance, are past? No, do not believe that, Ida. Nothing in this world is such an illusion as this belief. Life is rich; its tree blossoms eternally, because it is nourished by immortal fountains. It bears dissimilar fruits, various in colour and glory, but all beautiful; let us undervalue none of them, for all of them are capable of producing plants of eternal life.

“ Youthful love—the beaming passion-flower of earth! who will belie its captivating beauty, who will not thank the Creator that he gave it to the children of earth? But, ah! I will exclaim to all those who must do without it; there are flowers which are as noble

as this, and which are less in danger than it of being paled by the frosts of the earth—flowers from whose chalices also you may suck life from the life of the Eternal!

“ Ah! if we only understood how near to us Providence has placed the fountains of our happiness—if we had only understood this from the days of our childhood upwards, acted upon it, and profited by it, our lives would then seldom lead through dry wildernesses! Happy are those children whose eyes are early opened by parents and home to the rich activity of life. They will then experience what sweetness and joy and peace can flow out of family relationships, out of the heart-felt union between brothers and sisters, between parents and children; and they will experience how these relations, carefully cherished in youth, will become blessings for our maturer years.”

Frederika Bremer is not a writer of equal powers—and if we loved to dwell upon faults there are many in the volumes before us. As a mere storyteller she is not only inferior to Miss Edgeworth, but almost entirely innocent of the art of constructing a plot. The interest of ‘*Home*’ too often flags, and sometimes ceases entirely through whole chapters; and there are some blots in the performance. The flirtation of Mrs Frank with Jacobi, although but a momentary weakness, and the marriage of Eva with an eccentric old man, however worthy of a young wife, are incidents which offend and mar the general harmony of the picture. Frederika Bremer would perhaps make a better essayist than a novelist. Her tales are sketches somewhat in the style of ‘*Our Village*,’ but feebly strung together. Her excellence as a writer arises from her fidelity to nature, her power of seizing and delineating minute differences of character; and the charm of her works lies in the glimpses she affords us, less perhaps of Sweden than of Paradise on earth,—the Paradise of the social affections.

And this may lead us to the causes, or to one of them at least, of the failure of ‘*Martin Chuzzlewit*,’ as compared with the former tales of Charles Dickens. We should scarcely say that ‘*Martin Chuzzlewit*’ displays no originality of talent; but the whole novel, as far as it has yet proceeded, is founded upon a mistake,—the mistake of supposing that a tale can be perfectly successful without the impersonation of a single character worthy of, or capable of exciting, the reader’s sympathy. In ‘*Martin Chuzzlewit*’ we are introduced to a world of knaves and fools, destitute of any one quality that could command respect. The best of them, Tom Pinch, excites only contempt or compassion for the mental imbecility which renders him the blind dupe of a hypocrite. Mark Tapley, a reminiscence of

Sam Weller in 'Pickwick,' and of Brother Jack in Swift's 'Tale of a Tub,'—one who courts misery for the merit of braving it, and of showing that under the most adverse circumstances he can be jolly when other people are sad, is too unreal a conception for serious interest. The heroine is a young lady who has nothing to say except a few words at parting with her lover, whom she meets clandestinely by assignation in St James's Park : and that lover is an egotist, and a green-horn. Martin Chuzzlewit, the elder, is the old gentleman of the melodrama, rich, obstinate, and suspicious ; and the rest of the personages described, the Jonases—the Todgerses—Tiggs—the boy—the undertaker, and the nurses, are all of the lowest school of coarse cockney vulgarity. We may admit that some of these characters, although overdrawn, might serve as foils to happier delineations ; but the picture has no relief. It has all the dark shades of Rembrandt without a touch of light ; we contemplate human nature in 'Martin Chuzzlewit' only under an aspect which inspires loathing, and we can scarcely believe that we are reading the work of a writer once remarkable for a keen perception of the poetry of humble life ; one who had shown us God's image reflected back from the haunts of poverty, and to whom belongs the rare merit of such creations as Little Nell, Dolly Varden, Dick Nubbles, Miss Le Creevy, and those scarcely less-to-be-forgotten favourites of the public, Richard Swiveller and the Marchioness.

But perhaps the greatest fault of 'Martin Chuzzlewit' is an unjust and ungenerous attack upon the people of the United States, in the shape of broad and bitter caricature. That a vast continent like America, somewhat twice the extent of Europe, should contain in its maritime cities a body of slanderers and swindlers is not very strange : were none to be found there, considering how many have been sent from our own shores, the fact would be much more extraordinary ; but strange it is and new and unaccountable that such an observer as Mr Dickens, travelling from Dan to Beersheba, should find all barren of goodness, and discover no other facts worth signaling in a country, the rapid growth of which is without a parallel, than the knaveries of land-jobbers, and the abuses of a press conducted often by English editors.

What a false idea of American shrewdness and sagacity as shown in their choice of eligible sites for new townships, one of which, in twenty years from the time of its foundation (Cincinnati), contained a population of thirty thousand inhabitants, is given by Mr Dickens, in his description of a new settlement in a swamp, which its land-sharking originators had denominated

Eden! But a more serious fault in the work is the ungrateful return (for ungrateful it must appear in the eyes of every American) for the enthusiastic reception Mr Dickens met with in the United States,—in an extravagant satire of their lion-hunting propensities. Martin, with no other recommendation than that of being a dupe, who, with the unconsciousness of a Peter Simple, is about to bury himself in a spot from which no one had returned alive, has his *levée* thronged from curiosity by the whole population from morning till night. We wonder it did not occur to Mr Dickens that this satire might tell against himself. Was *he* only a Martin Chuzzlewit to the people of America when they crowded to do him homage? But in truth his claims to the distinction were of a higher character, and it might have occurred to Mr Dickens that the universal recognition of those claims was a fact not less honourable to the Americans than to himself. The universality of his reputation in the United States said something for an universality of education of which he would in vain look for similar evidence nearer home. In what part of England, Scotland, Ireland, or Wales would Mr Dickens count an equal number of readers and admirers, relatively to the whole population, than he found in every city, town, and village of the United States? We are sorry Mr Dickens has adopted this course; for it rarely under any circumstances, and in his case least of all, is expedient for an author to seek materials for satire in other countries than his own. The good sought to be effected by it commonly fails, for even when the satire is perfectly just, it is received as only the offspring of national antipathies, which it never fails to increase; and we are not surprised to see from the American journals that Mr Dickens's attacks are treated as the mere ebullition of spleen consequent upon his want of success in obtaining an international law of copyright: his present writings will certainly not promote that very desirable and important object. We make these remarks more in sorrow than in anger—sorrow that they appear to us needed; but we really have felt angry at our monthly disappointments of pleasure from Mr Dickens's last publication. We trust the source of much former gratification is not yet exhausted.

The fourth novel in our list, 'Tales of the Colonies,' by a late colonial magistrate (Mr Rowcroft), is a work both of feebleness and power. The contents of the first volume surpass in interest many of the novels of Sir Walter Scott, and the reason is, that in his first volume Mr Rowcroft relates only what he has seen and felt. The scenes it describes carry with them internal evidence of having been drawn from real life; and

from the information it contains upon various matters connected with new settlements, the volume might serve as a manual for emigrants, to whom we would cordially recommend it. The second and third volumes are drawn from the materials of minor theatres. They contain hair-breadth escapes and marvellous turns of fortune, which a sober imagination rejects as too great a demand upon its credulity. It may be charity to some readers to inform them, that the daughter of a gipsy bush-ranger is discovered in the end to be an English heiress; a most tame and impotent conclusion: why not at once have proved her relationship to the Royal Family of Great Britain? The first volume, however, which did not tax the inventive faculties of the author, has, we repeat, great merit: we had marked some striking passages for extract, but we are compelled to omit them for want of space.

E.

ART. VIII.—1. *The Vital Statistics of Sheffield.* By George Calvert Holland, Esq., M.D. Tyas, 1843.

2. *Reports of the Children's Employment Commission.* Presented to both Houses of Parliament, by Her Majesty's command.

IF the Reform Bill epoch has been justly called one of action without reflection, the times on which we have now entered are certainly quite as remarkable for inquiry without results. There is much ground for the former reproach. A re-organization of the entire machinery of the franchise has not prevented the growth of electoral abuses, and a violation of the designs of popular government, nearly as bad in principle and hindbersome to the intended good, as the system it replaced. The Municipal Reform, equally extensive in scope, has been so far defective as to leave some of the abuses of corporate government the rankest, where its purity is the most important. The mitigations in our penal code, which graced the accession of our Sovereign to the throne, although they unhinged the existing scheme and practice of punishment almost as effectually as a thorough reform, has just received a practical commentary in the Seventh Report of the Commissioners appointed to re-amend and consolidate that portion of our law. The Poor Law Act, certainly the most perfect of the achievements of the

Reformers, has failed to prevent a serious relapse into the vices it was designed to uproot. Four or five supplementary acts of amendment have brought the Tithe Commutations as yet to no definite prospect of termination, after an existence of eight years, at a cost of about 23,000*l.* per annum. To religious liberty, to which reform promised the boon of freedom to the rights of conscience, — she has given new register books in England, and permanent tithes for the teaching of a Catholic people by a Protestant priesthood in Ireland.

But it is needless to swell the catalogue of abortive beginnings—enterprises of the largest scope, and the most meagre performance,—ill-organized, worse executed, and fruitful only in a harvest of damaged principle and discouraged effort. Whether a better ground-work would have secured a sounder fabric, it is bootless to inquire now. Certain it is that many, though not all of the vast undertakings of the years of action, were commenced without a maturity of design, or fulness of preparatory information, proportioned either to their magnitude, difficulty, or influence on the progress of society.

On this one point, at least, no question is entertained: that at this present time the life-springs of all that is healthful and virtuous, and hopeful in the people—and the foundation-classes of society, are more or less affected by a diseased condition, of which men differ as to the character, the cause, and the cure; but as to the existence of which, and its peril, none doubt. Neither is there less assent to the necessity for a remedy. And this assent—this same listless, passive assent—has been readily given any time these last four years. It has been the drooping banner, and strange to say, the protecting insignia and safeguard of the tents in which patriotism has gone to sleep. For if men either professing philanthropy, or wielding power, had denied the evil or opposed the remedy, the chances are that they would have provoked a spirit of energy, and infused a life into the charities of men, which would ere this have grappled effectually with the evil. Almost all good effort seems palsied by a strange and deadening spell of indifference: at least so it has been for long past. Whether the recent stimulus of the Factory Bill has awakened the activity of philanthropy, or whether it has merely applied a match to the fuel of sectarian rivalry, it would be premature to inquire. Let us hope the best.

If, however, our activity in practical remedies has been small, our inquiries into them have been manifold and comprehensive: into what corner, grade, or department of the wide domain of industry have we failed to carry investigation?

Government has visited the factories under one commission,

the loom shops under another. Infant labour has, in each phase and sphere of employment, engrossed a separate corps of investigators. Inquiry has visited schools, explored the loathsome and pent-up dwellings of the urban poor, inspected villages, soared among the mountains, dived into mines, ransacked the very gutters of our towns, and brought to light horrors enough to stock and people a pandemonium; so much vice, filth, disease, ignorance, and suffering, has there been found rankling, not alone in one or two isolated spots, but more or less infesting and polluting all the spheres of industry, and therefore the springs of life to this great and civilized nation.

Up to this hour what practical result has followed the accumulated testimony, which the nation has piled up against itself? What have we done to expiate the guilt of indolence, of which we are at once the self-accusers and the witnesses? As a nation, absolutely nothing! Our doing is that of continuance in our crime, and in testifying its magnitude. This publication of the evil is, however, the only redeeming feature of the case; and in noticing the works before us, it is our object to aid its effect.

Even activity of inquiry without present result is preferable to acts without the knowledge and reflection essential to their permanent usefulness. Though the torpor of the times is a great negative evil, it in some degree favours the quiet gathering-in of information, which, when philanthropy again puts forth life, may prove valuable for the guidance of her steps.

It will therefore be prudent to foster the work of inquiry; to sift its vast harvest of facts; and test, classify, and store up whatever is sound and important in the knowledge it collects.

Until the men and the times are ready for the practical measures which shall give fruition to this labour, it is wiser and better to gain and prepare information, than to give occasion to the immaturity of hasty or party legislation, again to disappoint and damage the principle of reform. Nothing more vitally hinders improvement than fruitless changes. If we cannot or will not alter well, let us employ the time, at least, in reflecting wisely.

To the somewhat unwieldy revelations of the blue books, in which the gatherings of the recent commissions are stored, individual and local researches are beginning to add their contributions. We are glad of this. In the first place they are symptoms of the local and individual interest which the enormity of the evil is beginning, at least partially, to arouse. In the next place these statements, assuming as they do the character of reluctant admissions,—proceed from persons identified with the people and condition they describe, and thus carry with

them the highest stamp of authenticity. They are not open to the suspicion, though a groundless one, that paid investigators have an interest in the pungency of their revelations. They have a manifest interest in the suppression, rather than the disclosure, of evils, reflecting no credit on those who have witnessed their unchecked growth at their own thresholds. Of this class is the book of Dr Holland. It purports to be, what it indeed appears, a full and faithful account of Sheffield. It in all respects corroborates the very startling picture drawn of it last year by the commissioner who recently reported on the moral and physical condition of its industry;* and we believe it to present an extremely instructive instance of very prevalent evils in our large towns. But whilst many other towns unhappily present features of ignorance, disease, and vice, to the full as painful as Sheffield, there are few in which the phenomena of the malady are more remarkable, or of which the character and extent have been more fully developed.

Sheffield has signalized herself in the creation of our manufacturing fame. It is unusual in the continental or transatlantic markets to find the name of any provincial town in England so often in the mouths of merchants. The word Sheffield has equal currency with cutlery.

The perfection of its manufactures has been attended by a similar development of literary talent; and few towns have in one generation produced men so eminent in their different walks, as Bailey, Montgomery, and Ebenezer Elliot. Situated on the extreme southern border of Yorkshire, the people partake only partially of the Yorkshire character, and may be said to possess a dialect and idiosyncrasies of their own.

The manufacture of knives is divided into various branches, so that no one class of workmen are able to finish a knife, or to complete more than their own work: the forging of the blades, the grinding and polishing of them, and the making of the handles, are three perfectly distinct branches: and even these again are subdivided into the various processes of riveting, fitting, polishing, &c. We name this to show that though the results of this manufacture have been eminently successful, the component parts of it, as regards the workmen, are almost entirely manual, and require no more than moderate skill, except in a few processes connected with the finer descriptions of work, and these are for the most part confined to a few hands. A good deal of the work is done by that class of small manufacturers who are usually found in trades which do not require the

* Children's Employment Commission. Appendix, Part I. E.

aid of capital to maintain expensive machinery. Until very recently, wages were nowhere higher than at Sheffield. With all these advantages the moral condition of the people appears to be frightfully bad, and their habits and minds utterly sensual. We have seldom met with a more striking and painful picture than that presented by the grinders at Sheffield. As many of our readers are aware, the dust which necessarily attends this operation is vitally pernicious, and finally coats the lungs in stone. Sir Arnold Knight, M. D., thus describes this horrid disease in his examination by the Commissioner :—

“ Grinders who have good constitutions seldom experience much inconvenience from their trade until they arrive at about 20 years of age; about that time the symptoms of their peculiar complaint begin to steal upon them: their breathing becomes more than usually embarrassed on slight exertions, particularly on going up stairs or ascending a hill; their shoulders are elevated in order to relieve their constant and increasing dyspnoea; they stoop forward, and appear to breathe most comfortably in that posture, in which they are accustomed to sit at their work—viz., with their elbows resting on their knees. Their complexion assumes a dirty, muddy appearance. Their countenance indicates anxiety; they complain of a sense of tightness across the chest; their voice is rough and hoarse, their cough loud, and as if the air were driven through wooden tubes.”

They die shortly after of consumption. The dry grinders die, it appears, at from 28 to 32 years old; the wet grinders live till 40. It will scarcely be credited, that every effort hitherto made to modify the ravages of this trade has been discouraged by the men themselves.

Dr Knight, who has, we believe, been well able to ascertain the fact, stated his belief that these men “view with jealousy any precaution to prolong life, as a means of increasing the supply of labour, and lowering wages.” The unhealthiness of the trade has the effect they desire, for Dr Holland states, that workmen in other departments often refuse to work in the same place with dry grinders, owing to the unhealthiness of the dusty atmosphere. Their wages are of course high, and whilst trade was brisk these men actually kept a pack of harriers, hunting on foot on the Mondays, a day which they invariably devote to amusement. They also drink and indulge themselves in every possible manner, with a perfect knowledge of their doomed lives. Assuredly the maxim of a short life and a merry one never had a more faithful illustration. A large proportion of the work of the place being of a light description is done by children, who are not only thus precluded from the opportunities of education, but are early endowed with that independence of control, which

their importance, as means of livelihood to their families, never fails to create. They are men and women, with the vices and habits of men and women. These vices are attested by sundry witnesses of all classes, from the clergy to the artisans, with a degree of accord and detail which leave the mind nothing to doubt, and everything to deplore. In 1834 there were 711 beer and public houses; in 1841 there were 908, of which some are supported solely by young lads and girls who throng them nightly.

Education is at the lowest ebb. Dr Holland, out of 197 of these grinders, men and boys, finds 109 only who can read, and 69 only who write. The commissioner tests their knowledge, and this is a fair sample of the result. Examinant is eleven years old; began work at nine; works from eight in the morning till eight at night:

"He goes to chapel. Very seldom plays, only when he has nought to do. Plays at marbles sometimes in summer, when he has done work. God made the world. God will die like men; is sure of this. Jesus Christ is the Son of God; came to save sinners on earth. Does not know what part of the world Christ came to. Does not know that anything will happen to him after he dies. Does not know what Christ saving sinners means, but has heard it at school. Can read monosyllables only; cannot spell."

The schools in Sheffield are cheap and plentiful; but after a careful census of the children at them, it appeared that the average stay of each child was about nine months—that they came irregularly—and that the "work of the teacher is a perpetual succession of beginnings." The mothers in Sheffield have generally no regular occupation; and the young ones are often very profligate. Let us sum up this picture with a striking passage from the evidence of a man whose heart is in full sympathy with the working classes, and who would be the last to do them injustice. Ebenezer Elliott, who has lived there forty years, attests that

"The rising race of workmen in Sheffield is inferior in morality and intelligence to the race which is just dying out. We have schools, and a Mechanics' Institute; but the instruction, such as it is, which they can furnish, is as nothing compared with the antagonist mass of increasing ignorance. Let any stranger, who happens to have formed a high opinion of the intelligence and morality of the workmen of Sheffield, take a walk on a Sunday morning through the Old Park Wood, or visit the lanes and foot-paths adjoining the town, and he will be surprised to meet group after group of boys and young men playing at pitch penny, or fighting their bull-dogs, and insulting every decently dressed passenger.

He attributes to the corn laws and monopolists the necessities which prevent education.

"But the boy, it may be said," he adds, "might go to a Sunday school. True, he might do so; but after labouring in a distant mill or shop from light to dark, six days in seven, neither children nor adults will voluntarily seek the imprisonment of school or church. For these ominous evils I see no cure but one—the immediate repeal of all our monopolies, followed by a national system of education, which should make ignorance penal. They who force parents to starve, may ask, perhaps, 'If I would force children to read and write?' I answer, yes; such an act of despotism I should like to read or record in the history of our government."

Mr Ashley, the master of the Lancasterian School, stated:

"Their education, I have no hesitation at all in saying, is wretchedly defective, and arises, in the great majority of cases, from the circumstance that their parents themselves have not the slightest notion of the benefits resulting from the mental and moral training, under which it is sought to bring the children. The average time they stay in the Lancasterian school is not twelve months; and the state of the case in other schools, I am told, is precisely the same."

The educational necessities of the working classes appear to have been well proved in several parts of England by the Children's Employment Commissioners; and the examinations, which are given in the words of the children, bear striking testimony not only to the amount of ignorance, but to the utter inefficiency of the instruction given, to fulfil the purposes of education. This is an important point, and one to which we have before directed attention. The evidence abounds of children who have no definite knowledge of a God, or of any of the ordinary truths of religion, but it is less to the state of ignorance actually prevailing than to the delusion as to the existing means of removing it, that we desire to direct attention, and especially to the miserable parrot-like system of teaching which teaches nothing, whilst it satisfies parent and teacher that the child is being educated. Take the following as instances:

"Anna Mountain, aged 14.—I go to the Methodist school; I read the Testament. I don't know why Jesus Christ came on earth, but I know he was the Son of God; but they never question us or tell us what things mean. I don't know who it was that was nailed to the cross."

"John Child, aged 8.—I go to Methodist Sunday school every Sunday. I don't know who Christ was; I have read five chapters. They never tell me what it means. [Repeated the Lord's Prayer, but could not tell the meaning of trespass.]"

Another, who has left off going to the Sunday school, says

"They taught me religion there, and they told me Jesus Christ was God Almighty's Son, and I ought to make a bow. Jesus Christ is on earth now; I don't know where he is though, but I'm sure he's on the earth somewhere. I don't know who made the world."

Volumes would fail in giving a more exact statement of the process of education, especially in the Church Sunday schools, than the following. A scholar,

"On being asked what he must do to be saved, said, 'I believe in God the Father, God the Son;' and when they ask us, 'Who made the world?' we have got to say 'God.'

"We have got to say!" The education at these places consists of two elements, memory and obedience; minds have nothing to do with the matter; in fact they would be an inconvenient impediment to the system: a system, however, under which magpies would literally perform all that is required of children.

The secretary of the Sunday-school Union at Sheffield gave this candid explanation of the matter:

"After (he says) a careful and deliberate examination, having had upwards of twenty years' experience in Sunday-school tuition, I beg, deferentially, to express my decided conviction that much of the want of success arises from causes that have their rise in the defective education of those engaged as teachers. In thus speaking, I offer no disrespect to them as a body; I am proud to be numbered in their ranks; and there are many honourable exceptions to the remark. The great indifference of Christian churches, to which the schools respectively belong, in not taking oversight of their management, and omitting to provide proper persons, has brought many pious and humble individuals into the labour who, though deeply impressed with the necessity of imparting knowledge to the rising generation, have nevertheless few or no advantages for acquiring the same, owing to their daily occupations for the maintenance of their families; whilst those who are better qualified to teach, or to suggest the best methods of teaching, stand aloof, or nearly so, from connexion with such self-denying engagements; hence the want of discipline, and that extremely limited range of culture of the minds of the children."

After this what becomes of the statistics of schools? Of what sort of moment is it that there are so many thousand children on the books of so many dozens of Sunday schools? They show merely that there is so much mockery education; so much of shadow, but productive of this substantial evil,—namely, that it lulls the friends of education with the delusion that there is instruction because there are schools: whilst all the time the understanding and the heart are left as blank and uncultivated as if the objects of such instruction were savages from their

cradles upwards. It is therefore to be borne in mind that the number of the uneducated is not confined to the number of the untaught; and that the growing darkness cannot be measured by statistics.

It is to be hoped that the pictures contained in works like Dr Holland's, will tend to turn a little of the vigorous zeal of our sects into a more catholic sphere of effort. One half the same enthusiasm by the Church and Dissenters in educating the poor, that we have lately seen exerted in defence of sectarian supremacy, or independence, would soon work a healthful change in popular condition. Dr Holland well remarks—

“So imperative is this necessity—so urgent are the demands of the times, that it becomes us to waive the absorbing importance attached to doctrinal distinctions — distinctions dividing man from his fellow man, and to unite as if we felt a common interest in the improvement of mankind. Let us not urge in bitterness the severity of exclusive sentiments, but endeavour, in the largeness of a liberal spirit, to elevate the intellectual and moral condition of the people; impressed with this conviction, that if our peculiar views alone be right, the field on which we wish to exhibit them will not be narrowed by the more general diffusion of information.”

Effort is vitally needed to emancipate the minds as well as to feed and clothe the bodies of the poor. Freedom of trade alone would not achieve this.

We are disposed to believe that there is much truth in the view above indicated by Ebenezer Elliott, of the necessity of something more than mere physical ease to secure mental and moral culture. It is distinctly affirmed by one of the masters of the largest schools in Sheffield, that, when trade improves, it is a common thing to remove children from school because there is work for them to do. Dr Holland fully corroborates this view, perhaps with a tinge of bias against the classes, who being the employers of the poor, he seems somewhat easily to assume ought also to be their educators. Of any such bias we shall not be suspected; but the fact is an important and a well evidenced one. We believe neither extremes of poverty nor prosperity are *per se* otherwise than hurtful to the powers or progress of mind. Of this we are equally assured, that where the education of the child is solely intrusted to the parents, and those parents are themselves ignorant, and as keen after the means of gratifying the body as they are insensible to the value of knowledge, it is absurd to expect that what fills the cupboard will equally fill the school room. Education is not the want felt by the poor. It is incompatible with their ignorance that it should be; and not being the want felt, neither will it be the want sup-

plied, had they tenfold the means. To the cry of education, the cry of give us food is no sufficient answer; it may well be that food is necessary to education, but will it give us education, be it ever so plentiful? Unaided it assuredly will not. Create a taste for knowledge and it will seek knowledge, and grow by what it feeds on. But this taste has yet to be formed. It is especially necessary that this be first done, even if prosperity were at once to open the way for education, for, after a long period of physical wants and suffering, the mind of the sufferers cannot readily conceive any need so great as the supply of wants long and keenly felt. They will escape from poverty by orgasms of labour; and they will relax these only to seek in pleasure the gratification of the next desire previously denied. The indulgence of both these impulses is hurtful to education. Appliances and inducements of another character are clearly needed. It will never be the spontaneous effort of the poor who are ignorant of its value; neither ought it to be left to the efforts of employers perhaps equally ignorant of the mode of giving it. It is not their talent to teach; they have another and distinct sphere of important service to society, which is amply sufficient to engross their minds and their time. The moral exigencies of the condition of the people are too great to admit of secondary tendance. We have before us further practical evidence of the barrenness of the education of which the employers of labour are unadvisedly made the administrators, by the provisions of the present Factory Act.

In the reports of the factory inspectors up to last midsummer, Mr Horner, speaking of the Lancashire district, says:—

“Of the 117 factory schools, sixteen are good, attended by 860 children, or about twenty-seven per cent. of those educated in such schools. There are other factory schools, and some of the private schools, in which some little instruction is imparted; but in the majority of both there is a mere nominal compliance with the law; and it is an entire misapplication of the term to call such places schools. The inspectors have no power to interfere to put a stop to this discreditable mockery of education. I believe that I am understating the case to a considerable extent when I say that of these 6,872 children, for whom certificates of school attendance are obtained, 4,500 are getting no education whatever at these schools.”

Nevertheless it appears that, on an average, eight shillings a year for each child is exacted from the parent to be thus squandered.

Mr Saunders, of the northern district, terms the same education “altogether worthless in an overwhelming majority of

cases," and especially reports the ignorance of the teachers employed.

Mr. Howell, of the southern factory district, declares the general failure of the system there.

It is not our purpose to enter now on the *vexata questio* of the means whereby an evil so huge and formidable as the want of education is to be met. Our present object is satisfied by calling the attention of our readers to the accumulated evidence of the magnitude of the want, and more especially to the utter inefficiency of the existing means of supplying it. This much, however, clearly follows from the facts before us:—that until the intelligence of the land be moved by a pure love of good to give education, and until the ignorance of the people be willing to receive it, the work cannot be safely committed to the chance agency of private benevolence, nor even to the emulation of religious sects.

E

ART. IX.—1. *A Treatise on the Adaptation of Atmospheric Pressure to the Purposes of Locomotion on Railways.* By J. D. A. Samuda. Published by John Weale. 1841.

2. *The Atmospheric Railway: a Letter to the Right Honourable the Earl of Ripon, President of the Board of Trade, &c. &c. &c.* By James Pim, M.R.I.A., Treasurer of the Dublin and Kingstown Railway Company. Printed for private circulation. 1841.

3. *Report of Lieutenant-Colonel Sir Frederick Smith, Royal Engineers, and Professor Barlow, to the Right Honourable the Earl of Ripon, President of the Board of Trade, on the Atmospheric Railway.* Presented to both Houses of Parliament by command of her Majesty. Printed by William Clowes and Sons, Stamford street, for her Majesty's Stationery office. 1842.

4. *The Atmospheric Railway: Observations on the Report of Lieutenant-Colonel Sir Frederick Smith, Royal Engineers, and Professor Barlow, on the Atmospheric Railway.* Addressed to Francis Low, Esq., Chairman of the Dublin and Kingstown Railway Company. By Thomas F. Bergin, M.R.I.A. Dublin: Hodges and Smith.

THE successful operation of Clegg and Samuda's Atmospheric Railway in Ireland, upon the extension of the Dublin and Kingstown line, has rendered this mode of transit a subject of so

much interest to the public in general, that we deem it our duty to lay before our readers in a manner as simple as possible an explanation of the *modus operandi*, and also of the advantages ultimately to be derived from it. Our data are taken from facts, of the accuracy of which any one may satisfy himself by going to Kingstown, and comparing our statements with his own observations.

The speed of the atmospheric mode of travelling as far exceeds that of the locomotive plan, as the locomotive speed exceeds that of the stage coaches; this mode also reduces the expenses one half, which the locomotive system does not, it being as expensive, or more so, than the coaches.

To describe the Atmospheric Railway in all its detail would occupy more space than we can devote to the subject, neither would such a description suit the general reader; the following particulars must therefore suffice.

Along the entire line, and between the rails, runs a pipe, which, on the Kingstown and Dalkey line, is fifteen inches inside diameter. Along the entire length of this pipe is a slit or opening, through which a bar passes, connecting a piston (which moves freely in the pipe) with the carriage outside. The opening at the top of the pipe is covered with a leather strap, extending the whole of the length of the pipe, and two inches broader than the opening. Under and over this leather strap are rivetted iron plates, the top ones twelve inches long and half an inch broader than the opening, the bottom ones narrower than the opening in the pipe, but the same length as those at the top. One edge of the leather is screwed firmly down, like a common bucket valve, and forms a hinge, on which it moves. The other edge of the valve falls into a groove; this groove or trough is filled with a composition, made of bees' wax and tallow, well worked by hand, so as to make it pliable and tough, before spreading it in the groove; this composition being pressed tight against the edge of the leather valve which rests in the groove, makes the valve air tight, or at least sufficiently so for all practical purposes. As the piston is moved along the pipe by the pressure of the atmosphere, that side of the valve resting on the groove is lifted up by an iron roller, fixed on the same bar to which the piston is attached; thus clearing an opening for the bar to pass as it moves along. The opening thus made allows the air to pass freely behind the piston; the disturbance which takes place in the composition by the lifting of the valve is again smoothed down and rendered air tight as at first, by a hot iron running on the top of the composition after the valve is shut down. This has actually been

done when the piston was travelling at the rate of seventy miles per hour, and was smoothed down air tight after it by the iron above mentioned. It is contemplated to place stationary engines along the line, about three miles apart; at each engine or station there is an equilibrium valve fixed in the pipe, so that each three miles or section of pipe can be either exhausted or filled with air independently of the other sections. The equilibrium valve is made to move freely out of the way of the piston by the carriage while passing over it; so that the train passes from one section of pipe to another without any stoppage. It is evident, that as the tractive force is derived from the pressure of the atmosphere on the piston, the amount of the force or pressure will depend upon two causes, *i. e.* the extent of exhaustion on one side of the piston, and the area of the piston itself. On the Kingstown and Dalkey line, the diameter of the piston is fifteen inches; the usual working exhaustion is from eighteen to twenty inches, which propels six carriages filled with passengers (amounting to about thirty-five tons) up an incline, averaging 1 in 120, at the rate of forty-five miles per hour.

Having now given such a description of the Atmospheric Railway as will, we hope, render its operation intelligible to those at all conversant with mechanics, we shall proceed to point out its principal advantages over other modes of locomotion.

First. Economy in construction: a single line is sufficient for all purposes, and will convey more trains in a given time than any existing railway with two lines; this immense advantage arises from its velocity, averaging forty-five miles per hour.

Secondly. Economy in working, being propelled by stationary engines, taking about one-fourth of the fuel of a locomotive to do the same work, and saving the transit of the heavy engine and tender, amounting to twenty tons upon the average, and the carriages for the passengers not being subject to jolts and concussions, their weight may with perfect safety be reduced to one half of the present weight; this again reduces the wear and tear of the line, much smaller timber being required for the railway bars to rest on, and the bars themselves only about one-third the weight required for a locomotive engine to travel on.

Thirdly. Safety: by the principle of working by the pressure of the atmosphere, one train cannot by any possibility overtake the one preceding it, however soon it starts after it; for, should it get into the same section of pipe as the preceding train, the power which propels the last will cease until the train which

is in advance leaves the same section of pipe ; and, from the same cause, trains travelling in an opposite direction cannot come in collision, for directly they enter the same section of pipe, the power which propelled them both ceases, and the trains stand still.

The power which gives the impetus to the trains is one un-deviating pull, perfectly free from jerks of any kind ; and when the rails are properly laid, the sensation of locomotion (except for the apparently moving objects outside, and a trifling noise) nearly ceases ; so that an invalid, or wearied traveller, may recline on a couch in the carriage, with as little fatigue as if lying on his own sofa at home, though travelling at the rate of forty-five miles per hour.

Such are the leading features of this delightful mode of travelling : to what it will lead it is impossible to surmise. The velocity for practical purposes is unlimited, and as the first carriage is secured to the rail by its connexion with the pipe, it cannot get off the line ; moreover, when we take into consideration the curves and bends in the Kingstown and Dalkey line, some of which are 500 feet radius, and that a carriage has actually passed along this line at the rate of eighty miles per hour, what velocity may not be attained when the rail is in a tolerably straight line, and the public has become familiar to the idea ? Travellers were nervous when they first ventured on a railway where the speed was at the rate of twenty miles per hour, yet now that is considered tediously slow.

There is one remarkable fact which we wish to impress upon the public before concluding ; which is, that the expense of working by locomotives increases as the square of the velocity. By the atmospheric traction the expense decreases as the velocity increases ; therefore to the first mode there is soon a termination ; the second is only limited by the speed at which man dare travel.

To the great exertions of Mr James Pim, jun. of Dublin, the world is indebted for bringing the atmospheric system forward ; without his aid years might have elapsed before the public would have been aware of the advantages to be derived from this invention : as, however, it is now before the public, it remains for them to decide how much time shall intervene before the interests involved in the existing railways give place to this new and improved system. M.

* * * Since the above was in type, we learn that the experiments on the Kingstown and Dalkey line, conducted by General Paisley, R.E. ; I. Brunel, Esq. ; and M. Mallet, were most

satisfactory. On one occasion a gross load of sixty-seven tons was propelled up the incline of one in one hundred and twenty, at the rate of twenty-five miles per hour. After the transit of the carriages, the mercury-gauge at each end of the pipe was twenty-four and a half inches. Afterwards a load of thirty-five tons was propelled at the rate of fifty miles per hour.

ART. X.—1. *State Trials*. Edited by T. J. Howell. 1794 to 1796. Longman.

2.—*Life of Thelwall*. By his Widow. Vol. I. S. Clarke.

OUR present subject may require a brief chronological sketch of the events which marked the close of the last century: a memorable period of human history. We look back to the French Revolution—an epoch in the annals of mankind; but the causes of that mighty convulsion, that great moral earthquake, the influence of which has been felt in overturning or modifying the institutions of society in every corner of the civilized earth, it is not now our object to discuss. A few dates only are needed to show the connexion of the Revolution with the State Trials, to which we are about to refer, and to enable us to understand the spirit of the times.

We commence our retrospect December 10, 1788, the day when a rumour of the mental derangement of George III was confirmed by a report from the King's physicians, laid before Parliament. On the 10th the question of a Regency was introduced by Mr Pitt, but before the clauses of the bill, subsequently prepared by the minister, had been discussed, it was announced that the King had recovered; recovered (as was said) to take an active part with Pitt in giving that direction to public affairs, of which only madness or wickedness, or both conjoined, could have been the originating impulse.

May 2, 1789, assembled at Versailles the States General; and immediately proceeded to discuss a question upon which hung the destinies of France, of whether the three orders composing the States General, the nobles, the clergy, and the *Tiers État*, should form separate chambers, or one deliberative body. In the following month, June 17th, the third estate decided the question on the motion of the Abbé Sieyès, by voting itself full legislative powers, with the title of "National Assembly." It was joined at the next sitting by forty-nine of the nobles, and a majority of

the clergy; and on the 27th, at the instigation of the King, by the remaining members of the privileged orders.

• July, 11th, the first suspicions of insincerity on the part of Louis XVI were raised by the dismissal of M. Neckar. • The 14th was marked by an insurrection in Paris, and the taking of the Bastile.

August 4th, all feudal privileges were abolished; and on the 20th the National Assembly published their celebrated Declaration proclaiming equality of rights, and the nation the only source of sovereign power.

June 20th, 1791,* the French king fled from Paris, leaving behind him a paper formally revoking all his past acts: he was seized at Varennes and brought back to Paris. September 30th, the National Assembly, having finished its task of preparing a new constitution for France (whence it was called the Constituent Assembly), dissolved itself by a vote; its members at the same time disqualifying themselves from sitting again for two years. The new Legislative Assembly met on the 1st of October, and on the 21st passed a resolution to engage in no war except in self-defence.

April 20th, 1792, the first crusade of the European powers against France was commenced by the Emperor of Austria. July 1st, the Legislative Assembly declared the country in danger from a confederacy of kings. On the 25th, the Duke of Brunswick, at the head of an army of Prussians and emigrant nobles, issued his manifesto against French principles; a manifesto followed in France (in the months of August and September) by a general massacre of Royalists by the populace. August 13th, the Legislative Assembly prepared for its dissolution by adopting another constitution, by which a new Assembly was to be created on the basis of universal suffrage. This Assembly met on the 20th of September: it was called the National Convention. December the 20th, Thomas Paine was found guilty (in England) of a libel contained in his 'Rights of Man.' On the 26th, Louis XVI was put upon his trial at the bar of the National Convention. This was called the first year of the Republic; Monarchy having been formally abolished.

January the 21st, 1793, Louis XVI perished by the guillotine, and on the 28th of the same month England declared war against France. This was the commencement of the reign of terror. France now stood alone against the confederated powers of Europe; she was surrounded by armies, and the cause of the

* The dates are those of Wade's 'Chronological History of Great Britain and Ireland';—a valuable work of reference.

Revolution appeared to be desperate; but it roused the fearful energies of desperate men. Moderate Reformers, or men willing to act only upon recognised constitutional principles, were thrown into a false position. They appeared too tame for the crisis. Violence from without and treachery within must be met, it was said, by extreme measures; and with the multitude, the end seemed to justify the means. Hence the triumph of Robespierre: but the allies were repulsed; and, although Poland was dismembered the same year, France was saved.

We need only attend to the chronological order of these occurrences to observe the close relationship of cause and effect, between foreign intervention and the excesses and horrors of the Revolution. The Republicans were always an inconsiderable minority of the people, but they were raised to power by the unprovoked hostility of neighbouring states. Foreign interference identified with Republicanism the pride of French nationality. Pitt confessed that the whole nation had risen as an armed man. The leaders of the National Convention, although with an empty treasury, succeeded in embodying a million of men, and directed the operations of fourteen armies in the field!

We will not dwell on these events, but we would make an observation upon an earlier cause of the subsequent misfortunes—a cause which we do not remember to have seen noticed in histories of this period.

The great mistake of the many intelligent and excellent men who composed the first National Assembly was the self-denying ordinance by which they declared themselves ineligible as members of the next Assembly. This resolution was honourable to their patriotism, but fatal to the stability of the new institutions. The helm was abandoned, and at the most critical moment, by the only men who were fit to hold it, and no wonder that the vessel of the state soon went to pieces on the rocks. This self-denying ordinance called into existence a new set of experimentalisers in constitutions, and, these men, so obscure and insignificant that the names of most of them were unknown to the newspaper reporters of the day. Public attention was, therefore, speedily drawn from the Legislative Assembly and fixed upon the clubs, and from that period representation became a mockery, and the clubs governed France.*

* We have read with much surprise that part of the Memoirs of Bentham in which we are told by his biographer that Bentham, who had formerly held a different opinion, finally became convinced that, as a security against the corrupting influences of power, *new* representatives should be chosen

So just were the early proceedings of the first National Assembly, and the principles they promulgated, that to many it seemed as the commencement of a golden age, in which the promise of a Millennium would be realised. The Revolution, therefore, necessarily gave a powerful impulse to the question of Parliamentary Reform, which Pitt himself had advocated when in opposition, and the excitement of the people in favour of this object was naturally at the highest; but equally natural was it that alarm should be felt by the court and the aristocracy at the rapid progress of the democratic movement, at home and abroad.

Here, perhaps, it would be well to consider what was the line of policy which common prudence, and even a mere selfish regard for the interests of their order, would have dictated to the court and aristocracy of that day, had there been a spark of true statesmanship to animate their councils. Pitt is called the pilot who weathered the storm. It was he who gathered the storm; a storm which, although it did not spend its fury in this country, because England was partially protected by its insular situation, swept over every other part of Europe, and when it finally subsided left even England, after an expenditure unparalleled in history, on the brink of bankruptcy and ruin.

In all times of great public excitement the policy to be pursued by Government requires the greatest circumspection. There should be no talk of either coercion or concession. In a country of free institutions a government commits suicide that arrays the sympathies of the people against it, by resorting to the weapons of despotism; and concession is weakness. No government deserves the name that waits to be driven. It should be firm

at elections, and that the old should (for a time at least) become ineligible. To us this appears to be a mode of incurring a certain evil, to avoid the contingent possibility of a less. Mediocrity is to be preferred to talent, because talent may be misdirected! A tried servant is to be discarded, because he may prove faithless in the end, for an untried servant who may prove faithless, or incompetent from the beginning. Many persons think that men fit for legislators are as plentiful as blackberries which grow on every hedge: this is a great error. The qualifications required for the post are extremely rare (as Bentham well knew), and when found they should be prized. But with the highest qualifications experience is essential to the statesman; and even the skill of an ordinary mechanic would never be acquired if he were permitted only the occasional use of the implements of his trade.

Under a system of just representative government we should not fear the corrupting influences of power. Annual elections would be a sufficient check against an abuse of the trust, or, if not sufficient, we should gain no additional security by a rotation of the unfit.

where firmness might be required in resistance to unreasonable demands, and it could afford to be so if it hastened to anticipate demands founded in justice. Public opinion may be misdirected; but it can never be safely defied. In repressing even a mischievous agitation, the first care of the executive should be not to put itself in the wrong. The more unpopular the government might become, the more solicitous it should be to recover its moral influence with the people, not by concessions to ignorance or prejudice, but by some active demonstrations of interest or zeal for the public welfare which could not be mistaken. To neglect these, and to appeal only to coercive measures (the mistake of the present Cabinet in Ireland), is of all expedients the most dangerous. Oppression, or that which may only seem to be such, gives intensity to the interest of the object sought to be obtained, and millions, when they have been taught to hate, cannot be governed by fear.

Pitt, however, knew not what spirits he had evoked; he cared not for public opinion, the full force of which he had not yet tried; and he was bad enough to despise even the appearance of consistency. Every step he took was one to increase the irritation of the public mind; and an English revolution would have been inevitable, had not the excesses of the French Jacobins saved the Government from destruction. Two facts alone are sufficient to demonstrate the correctness of this conclusion: the mutiny of the fleet in 1795, and the Irish Rebellion in 1798. Either of these events would have been fatal to the Government before the revolution had lost its hold upon public sympathy; but among the great body of the middle classes a reaction had commenced, consequent upon the progress on the continent of anarchy and extreme opinions. The religious bodies were the first to take the alarm; they were shocked at the ascendancy of a sceptical philosophy. Paine's 'Rights of Man,' of which more copies were sold than of the Bible, came as an electric spark in a mine prepared for explosion; but Paine's 'Age of Reason,' which followed, damped the train: its author, who had been worshipped as a god, was now denounced as a blasphemer; the throne was proclaimed, even from Dissenting Pulpits, to be inseparable from the altar, and the support of monarchy became the cause of God.

The policy of the British Cabinet was war; war abroad and war at home; a war against democratic principles, whether advocated by Frenchmen or Englishmen. Pitt turned upon the very men with whom, in former days, he had stood side by side, agitating for the same objects, and sought to hang them! Denouncing the revolutionary tribunals of the National Convention,

he yet adopted them for a model, seeking to govern by the same means; he suspended the *Habeas-Corpus* Act; put down public meetings by proclamations; and when they failed, by acts of parliament; restricted the circulation of newspapers within the narrowest possible limits, so that to lend a newspaper for hire was made illegal; and filled the country with spies, and the gaols with victims. He, too, must have his reign of terror, and if the name of Pitt is not now as execrated as that of Robespierre, who in his career of blood could not stop when he would have done so, the friends of the Minister may thank the juries that acquitted Hardy, Tooke, and Thelwall. The legal murders the Government then sought to perpetrate would inevitably have led to outbreaks which the soldiery would have been called upon to suppress, and to real plots against the state, which, though they might none of them have succeeded, would have been the occasion in England of sanguinary struggles and new executions, which the same policy four years later did realize in Ireland.

In the life of Thelwall, published by his widow, we have a vivid sketch of the state of parties in 1793, and of the attempts made to suppress the right of public discussion. Crown prosecutions against the press for libel were of daily occurrence; but the greatest efforts of the Pitt Administration were directed against what were termed the seditious societies; and of them we cannot give a better account than we find in the first volume of this work, the only one yet published.

“One of these, the ‘Society of the Bill of Rights,’ was founded by Horne Tooke, in 1769; and, by its efforts, it protected the press from the consequences of verdicts obtained in courts of law on charges of libel. This society was a grand help in the struggle for the liberty of the press; but after a time it died a natural death.

“That which rose next into consequence was ‘The Society for Constitutional Information.’ This association was founded by Major Cartwright and the present Earl Grey, in 1780; its members principally consisted of men of rank, fortune, and talent; and its object was the dissemination of political knowledge among the people, by publishing, in cheap editions, tracts and dissertations, and occasional strictures on the proceedings in both houses of Parliament, calculated to impart to the people instruction with regard to their constitutional rights. Among the names of the distinguished men who devoted their talents to the spread of knowledge in this shape may be ranked those of the Duke of Richmond, Lord Somers, Sir William Jones, Sir William Davenant, Major Cartwright, the Rev. Mr Stone, Capel Loft, Dr Jebb, Horne Tooke, Dr Price, John Frenchard, Granville Sharp, Thomas Day, Thomas Gordon, Rev.

C. Wyvil, Wilkes, &c. &c. This society stood its ground till the two acts of 1795 were passed for the suppression of such associations.

"The society, which was established by the Duke of Richmond, in the year 1782, was called 'The Quintuple Alliance;' the sole purpose of which was to promote 'annual parliaments and universal suffrage.' Pitt was a member of this society; but, in the coalition, the acquisition of office changed the opinions of its leading members, and it soon sunk into insignificance. This society was dispersed upon Pitt coming into power, with the intention of complimenting him, by showing its willingness of placing implicit confidence in the new Minister's patriotic promises. Horne Tooke, who at that time had full faith in Pitt's integrity, was the principal means of effecting this dissolution.

"But, in the year 1791, the society which was, perhaps, the most efficient in promoting political discussion, and in leading the great mass of the inhabitants of the metropolis to a sense of their rights as citizens of a free state, was the 'Society of Free Debate,' which was held at Coachmakers' hall. The frequency and the publicity of its meetings, at which persons of every varying shade of opinion were invited to deliver their sentiments on interesting subjects, gave it considerable influence and consequence.

"The 'Corresponding Society' was established by Hardy, in the beginning of the year 1792; and its members, at first, consisted merely of tradespeople and mechanics. As the influence of this society increased, the circle of its members enlarged, till it, at length, enrolled in its list hundreds of the middling classes of the people; but, though it corresponded with persons of all ranks, it never became incorporated with the upper.

"The 'Society of Friends of the People,' or 'The Southwark Society,' as it is sometimes called, comprised among its members men of the first rank and station in the kingdom. It was established by Major Cartwright, in April, 1791, soon after the formation of the Corresponding Society; and as these societies had the same primary object in view, it may be said, that they united all classes and ranks of the people in one common cause."

The first serious indication of the intention of Government to put down all associations for public purposes, was given by the State trials at Edinburgh in the autumn of 1793 and spring of 1794; in all of which packed Scotch juries found verdicts for the Crown. The occasion of these trials was a meeting of delegates from the various reform associations of the country which had sprung out of the parent societies at London, to concert measures for obtaining Parliamentary reform. The legality of such a meeting, at least in England, was proved on the subsequent trial of Horne Tooke, but the Scotch law of sedition admitted of a wide construction, everything being treasonable that might be construed into a means of sowing discord be-

tween king and people; and unfortunately the reformers by whom the meeting was attended had innocently but injudiciously given a somewhat revolutionary colouring to their objects by calling the meeting a Convention. This was the gravest charge against the whole of the prisoners, but it proved sufficient to convict them, and five of the best-educated men of that time, possessing first-rate literary and intellectual talents—Muir, Palmer, Skirving, Margarot, and Gerald, were sentenced to transportation for fourteen years.

“Muir was an advocate, and his abilities were complimented on his trial, even by the court itself. Palmer was a clergyman; and Skirving had been bred to the same profession. This latter gentleman had written a work on agriculture, and had an equal number of votes with the late Professor Coventry, in standing for a chair in the Edinburgh University. Margarot was a merchant in London; and Gerald! poor Gerald! had been brought up in the lap of luxury and affluence! He was educated by the late celebrated Dr Parr, and considered by that eminent man as his most intellectual pupil.”

Muir and Palmer, before they were finally sent out of the country, were forced to work in chains with felons in the hulks. Gerald, with whom the Convention had originated, was sent out to Norfolk Island after a twelvemonth's detention in gaol, but died on his passage. One only of their number, Margarot, lived to see his country again.

The indignation excited by these trials, and the monstrous injustice and inhumanity of the sentences passed on the prisoners, had not subsided before it was determined to follow up the blow by arresting, on a charge of high treason, the leading reformers of the metropolis. The first person attacked was John Hardy, secretary of the London Corresponding Society, and it will give some idea of the spirit in which the prosecution was conducted, if we extract from the papers of the Society an account of his seizure.

“The house of citizen Hardy was assailed about half an hour after six on Monday morning, the 12th May, 1794, by a messenger from one of the Secretaries of State, accompanied by four or five runners, who, after securing his person, proceeded to his bed room. Mrs Hardy having learned the occasion of the intrusion, requested them to withdraw while she put on some clothes. This they refused; and she, anxious for an opportunity of sending for some friends, was obliged to dress herself in their presence, one of them walking about all the while with a pistol in hand. She was no sooner up, than they proposed to search the bed; but on her expostulating sharply with them on the extreme indecency of such conduct, they forbore. Mrs Hardy, however, found the purpose for which she had

risen frustrated ; not only herself, but even the lodgers, being closely confined during the search. On their finding a considerable quantity of letters, one of them observed, ' There was enough to send him abroad, if not to hang him.' This appeared to another too humane a way of speaking ; therefore, addressing himself to Mrs Hardy, he said, ' I hope you will have the pleasure of seeing him "hanged before your door." ' Such discourse to an affectionate wife, considerably advanced in her pregnancy, evinced a large share of that humanity which characterises the present Administration."

Mrs Hardy subsequently died while her husband was in prison. Thelwall, Tooke, and others, were arrested at the same time as Hardy ; and, after in some instances undergoing an examination before the Privy Council, were consigned to the Tower.

During their detention, which lasted six months, the result of another trial for high treason in Scotland came to the prisoners as an ill omen of the fate which awaited them, and increased the anxiety of their friends. Two men, Watt and Downie, were tried at Edinburgh for seditious practices. It came out in evidence that Watt had been employed by Mr Dundas as a spy, and that Watt not finding any treason ready made to his hands, had himself set about the task of inciting the lower classes of Edinburgh to tumult. On this ground the jury recommended his fellow prisoner, a poor ignorant man, to mercy, and Downie was spared ; but Watt, abandoned by his employers for his want of circumspection, was hanged.

This circumstance, however, did not affect the courage of the accused, and one of their number who had not been apprehended with the rest, but was included in the same bill of indictment (Thomas Holcroft), voluntarily surrendered himself to take his trial : an act of boldness, but of questionable prudence ; for Gerald, who had been equally confident of his innocence, and who, when out on bail, had been offered by his friends the amount of his securities if he would consent to escape, but refused, did not the less escape a sentence equivalent to death.

It will be seen, however, by the following extract from the published account of the first day's pleadings, that the State prisoners of 1794 even disdained to avail themselves of informalities in the proceedings, which might at once have defeated the prosecution ; and in this respect the conduct of their defence differed widely from that recently adopted in the case of O'Connell. It may help O'Connell's reputation with his countrymen to show, that in the technicalities of the courts he is a better lawyer than his opponents : it may have enabled him to gain that reasonable time for preparing his witnesses which the Attorney-General seemed determined to prevent his obtaining ;

but to have met the question at once solely upon the merits of the case would have been taking higher ground.

“ OLD BAILEY, SATURDAY, OCT. 25, 1794. ”

“ For the trials of the prisoners, the commission consisted of the following Judges: Sir James Eyre, Lord President; Chief Baron Macdonald, Baron Hotham, Judge Buller, Judge Grose, &c. &c.

“ At ten o'clock the Lord President, accompanied by the other Judges, the Lord Mayor, the Recorder, and six Aldermen, took their seats on the bench.

“ After the usual proclamation, Mr Kirby, the keeper of Newgate, was ordered to bring to the bar the following prisoners in his custody, against whom the Grand Jury had found their first bill of indictment:

“ Thomas Hardy, late of Westminster, in the county of Middlesex, shoemaker.

“ John Horne Tooke, late of Wimbledon, in the county of Surrey, clerk.

“ John Augustus Bonney, late of the parish of St Giles in the fields, in the county of Middlesex aforesaid, gentleman.

“ Stewart Kyd, late of London, Esq.

“ Jeremiah Joyce, of the parish of St Marylebone, otherwise Marybone, in the county of Middlesex aforesaid, gentleman.

“ Thomas Holcroft, late of the parish of St Marylebone, otherwise Marybone, in the county of Middlesex aforesaid, gentleman.

“ John Richter, late of Westminster, in the said county of Middlesex, gentleman.

“ John Thelwall, late of Westminster, in the county of Middlesex aforesaid, gentleman.

“ John Baxter, late of the parish of St Leonard, Shoreditch, in the county of Middlesex aforesaid, labourer.

“ The Court, immediately on their appearance, wished to know whether the prisoners' counsel attended in pursuance to their nomination and appointment?

“ Mr Gurney replied, that in addition to his learned friends present, who had been retained, he expected Mr Erskine, Mr Gibbs, and Mr F. Vaughan, who had been nominated by the court.

“ The court condescended to wait a few minutes.

“ The windows which are behind the bar, where the prisoners were, having been previously let down by the Lord President's orders, so as to admit a strong current of air, the following observations were made by

“ Mr Horne Tooke: My lord, I beg leave to represent to the court that we have just come out of a very confined and close hole, and the windows now opened at our backs expose us to so much cold air, that our health, particularly my own, will be considerably endangered, and most probably we shall lose our voices before we leave the place. I shall, therefore, request of the court to be dismissed as soon as their convenience will permit.

“The Lord President of the Commission: If you are prepared to plead, sir, you may be dismissed almost immediately. We were waiting for your counsel, that you might have the benefit of their assistance.

“Mr H. Tooke: My lord, in a great measure I am prevented from being now able to say anything on the subject of the indictment, from the circumstance of our not having had the ten clear days allowed by act of parliament to persons in our situation. By the change of custody a whole day has been completely lost to us; in consequence we have not had an opportunity of conversing with our counsel. Mr Erskine and Mr Gibbs had engaged themselves to dine with me on Friday, for the purpose of conferring together on the business of this day. Notice was given me as late as nine or ten on Thursday night only, of my intended removal; I was removed by eight o'clock the next morning: it was perfectly impossible for me, therefore, to take the advantage of my counsel's advice, as our arrangements were thus completely destroyed, and all my papers, which I had collected and arranged in the Tower, thrown into disorder and confusion. Your lordship—who never was a prisoner—can have but a very imperfect idea of the change of custody.

“The Lord President: The court is inclined to make every allowance that can be expected, and is willing to wait the arrival of your counsel.

“Mr Tooke: Rather than catch cold, I should choose to plead at present. I ask no indulgence, but desire substantial justice. When I mentioned the circumstance of the day's loss, I did not, by any means, wish to cause delay. It is undoubtedly clear that the act, which says that not less than ten days should be allowed, by no means meant to preclude the accused from having the advantage of more than ten days, if necessary for the preparation of materials requisite for defence. I hope that no inconvenience will arise to us from the shifting of custody:—but we certainly have not had the indulgence which that law intended us. I am, however, ready to plead, though deprived of the advantage of my papers, and the benefit of advice. We have been six months in close confinement, without being able yet to imagine what was the nature of the charges to be brought against us, nor have we been able to discover it from the indictment found against us.

“Mr Thelwall: My lord, I think it my duty, and an act of justice to myself and my country, to mention, in this public manner, the hardships which we have suffered. Not to mention the loss of a day, I myself have to complain of a circumstance very detrimental indeed to me. I have been deprived of the benefit of my books and papers, which I had collected together, and arranged in the Tower. When we were removed from the Tower, the sheriffs thought proper not to allow me time sufficient to take them with me; I do not mean to attach any blame to them when I mention this, for with great politeness they promised I should have them sent me.—Afterwards,

when I had an opportunity of sending for them through the medium of a friend who was sending to the Tower for some things he wanted, I was refused, and received an evasive answer. I was informed that they could not send what I wanted, as I had a number of other things there, and they must be sent for together, as it would be necessary to have a separate coach for them. This morning I received a second evasive answer. I mention this circumstance not with any view of delay, for I am as anxious as any man can be for anything, to meet the justice of my country.

"The indictment was then read by the clerk of the arraigns. It charged the prisoners that they, being subjects of the king, not having the fear of God in their hearts, nor weighing the duty of their allegiance, but being moved and seduced by the instigation of the devil, withdrawing their affection and allegiance from the king, did, on the 1st of March last, contrive, in concert with other persons, to disturb the peace of the kingdom, to subvert the government, to depose the king, and to put him to death.

"The indictment then proceeded to specify, and set forth in nine different counts, the overt acts of the above compassings and imaginations.

"The prisoners were then severally asked the usual questions,—
'Guilty or not guilty?'—'How will you be tried?'

"Mr Hardy: 'Not guilty.'—'By God and my country.'

"Mr Tooke: 'Not guilty.' On being asked how he would be tried, he eyed the court for some seconds with an air of significancy, which few men are so well able to assume, and, shaking his head, emphatically answered—'I *would* be tried by God and my country.'

"The others answered in the usual manner—'Not guilty,'—'By God and my country.'

"Mr Bonny was about to make some remarks, when he was interrupted by

"The Lord President: Tooke having complained of the coldness of the air, may withdraw.

"Mr Tooke then withdrew.

"John Augustus Bonney: My lord, there is an error in this indictment, which entitles me to plead in abatement. I am described late of the parish of St Giles in the fields, whereas I ought to have been described of the parish of St Pancras. I never did reside in the parish of St Giles. But, my lord, I am also charged by this indictment with having committed treason in the parish of St Giles; and as my description is just as true and correct as this assertion, I am content to take my trial upon the indictment in its present form; for I look forward with earnest and anxious expectation for the day when a jury of my country shall justify me from the aspersions thrown on my character by this indictment: I therefore waive my objection, and plead generally, that 'I am not guilty.'

"Mr Thelwall: There is a circumstance, my lord, which my counsel have informed me would entirely quash this indictment as far

as regards me, if I were inclined to take advantage of it. My description is not right: I am described as an inhabitant of Westminster, whereas I reside in the liberties of the Duchy of Lancaster. Anxious as I am to have my conduct examined into by my country, I despise the idea of availing myself of any paltry subterfuge. I feel perfectly convinced, that when the long-expected day shall come, no honest jury can say otherwise than I do now,—‘Not guilty.’

“Mr Bonney then said: I beg that your lordships will allow me a few words before we quit the bar. I assure you, if I had been arraigned for any known and certain treason, for murder, or for felony, I would ask no favour of your lordships; but when I stand before you upon a case, in which (and I believe I have your lordships’ opinion in my favour on the subject) if the facts charged against us should be proved, there would still be very great doubt upon the law, I trust I do not make an improper request when I solicit your lordships, that we may be allowed as many of the little comforts and conveniences of life (to which we have been accustomed) as may be consistent with the security of our persons. Your lordships, I am sure, will agree with me, that a situation in which a man can neither sleep by night, nor cast his eye on a ray of comfort by day, is not much adapted to prepare his mind for so important a trial as mine—and yet, my lords, such is my situation.

“I beg to be understood not to intend the smallest insinuation against the sheriffs; their language and their countenances, when they visited me yesterday in my cell, sufficiently convinced me of the concern they felt at not being able to afford me better accommodation. My request, therefore, to your lordships is, that we may be remanded to the custody of the Governor of the Tower, where we have been treated, for two-and-twenty weeks, with the greatest humanity and attention.

“Mr Richter and Mr Baxter also complained of the want of accommodation in the places where they were confined.

“The Lord President: I must repeat, that the court can only refer you to the discretion and humanity of the sheriffs, who have already undertaken to pay attention to your complaints.

“Mr Attorney General: My lord, as the prisoners have signified their desire to be tried separately, I move that Mr Hardy be tried first; and that the warrants, made necessary by a late act of parliament, for constituting the commission, be recorded.

“Mr Erskine, who, together with Mr Gibbs and Mr Vaughan, counsel for the prisoners, had come into court during the reading of the indictment by the clerk of the crown, apologized to the court for their momentary absence, as not expecting the business of the court to begin so early. He understood that Mr Horne Tooke had stated, and truly, to the court, the total want of communication between him and his counsel, owing to his unexpected removal. He therefore confided in the discretion and humanity of the court, that they would, in some degree, remedy this evil, by not proceeding to

trial till Tuesday next at the soonest, in order to afford an interval for such communication between the prisoners and counsel as was necessary for their safety.

"The Attorney-General said the prisoners were duly apprised of their being to be arraigned as on this day. Their removal from the Tower to Newgate was arranged to take place as late as possible, in order to prevent their being embarrassed by interruption in their communication with their friends and counsel. Of the present objection he had heard nothing till the present moment, which he was convinced was unpremeditated, else he was satisfied that the counsel would not have concealed it from him. As the great object, however, he had in view was, that a jury of the country should ultimately decide whether or not those charges were well or ill founded, which a grand jury had already declared were not totally destitute of foundation, he was ready to assent to the delay proposed, and therefore had no objection, if the court so willed it, that the trial of Mr Hardy should stand over till Tuesday.

"The court accordingly decided to postpone the commencement of the trials till Tuesday next. The Attorney-General suggested to the court, either that they must meet on Monday next, for which day the petit jury were summoned, or else they must be summoned afresh for Tuesday.

"The court directed that the sheriff should give notice to the gentlemen of the jury, that their presence would not be necessary till Tuesday; and that the court would meet on Monday morning *pro forma*, and so adjourn over to the following day, then to proceed to business."

The reader would perhaps feel somewhat at a loss to discover the real grounds of the proceedings in this prosecution; for, as to the charges in the indictment of preparing "guns, muskets, pikes, and axes," and of plotting in earnest to dethrone the King, there was not a tittle of evidence produced to warrant such an accusation, and it never could have been seriously entertained on the part of the Crown. The case, however, expected to be made out by the prosecution, and the arguments supporting it, are clearly stated in the charge of Chief Justice Eyre to the grand jury; and as the doctrine of "constructive treason," which the Chief Justice sought to establish, has of late been revived, it may not be unimportant to quote that part of his observations which bear the most directly upon the subject.

"From the writers upon the law of treason (who speak, as I have before observed, upon the authority of adjudged cases) we learn, that not only acts of immediate and direct attempt against the king's life are overt acts of compassing his death, but that all the remoter steps taken with a view to assist to bring about the actual attempt, are equally overt acts of this species of treason; even the meeting and the consulting what step should be

taken in order to bring about the end proposed, has been always deemed to be an act done in prosecution of the design, and as such an overt act of high treason. This is our first step in the present inquiry. I proceed to observe, that the overt acts I have been now speaking of have reference, nearer or more remote, to a direct and immediate attempt upon the life of the king; but that the same authority informs us, that they who aim directly at the life of the king (such, for instance, as the persons who were concerned in the assassination plot in the reign of King William) are not the only persons who can be said to compass or imagine the death of the king. 'The entering into measures which, in the nature of things, or in the common experience of mankind, do obviously tend to bring the life of the king into danger, is also compassing and imagining the death of the king;' and the measures which are taken will be at once evidence of the compassing, and overt acts of it.

'The instances which are put by Sir Matthew Hale and Sir Michael Foster (and upon which there have been adjudged cases) are of conspiracies to depose the king, to imprison him, to get his person into the power of the conspirators, to procure an invasion of the kingdom. The first of these, apparently the strongest case, and coming the nearest to the direct attempt against the life of the king; the last, the farthest removed from that direct attempt, but being a measure tending to destroy the public peace of the country, to introduce hostilities, and the necessity of resisting force by force, and where it is obvious that the conflict has an ultimate tendency to bring the person and life of the king into jeopardy; it is taken to be a sound construction of the statute 25 Edward III, and the clear law of the land, that this also is compassing and imagining the death of the king.

"If a conspiracy to depose or to imprison the king, to get his person into the power of the conspirators, or to procure an invasion of the kingdom, involves in it the compassing and imagining of his death, and if steps taken in prosecution of such a conspiracy are rightly deemed overt acts of the treason of imagining and compassing the king's death; need I add, that if it should appear that it has entered into the heart of any man, who is a subject of this country, to design to overthrow the whole government of the country, to pull down and to subvert from its very foundations the British monarchy, that glorious fabric which it has been the work of ages to erect, maintain, and support, which has been cemented with the best blood of our ancestors; to design such a horrible ruin and devastation, which no king could survive, a crime of such magnitude that no lawgiver in this country hath ever ventured to contemplate in its whole extent; need I add, I say, that the complication and the enormous extent of such a design will not prevent its being distinctly seen, that 'the compassing and imagining the death of the king is involved in it, is in truth of its very essence.'"

"It may be asked, is it possible, and (if it be possible) by what process is it, 'that an association for the reform of parliament can

work itself up to the crime of high treason?' All men may, nay, all men must, if they possess the faculty of thinking, reason upon everything which sufficiently interests them to become objects of their attention; and among the objects of the attention of free men, the principles of government, the constitution of particular governments, and, above all, the constitution of the government under which they live, will naturally engage attention, and provoke speculation. The power of communication of thoughts and opinions is the gift of God, and the freedom of it is the source of all science, the first fruits and the ultimate happiness of society; and therefore it seems to follow, that human laws ought not to interpose, nay, cannot interpose, to prevent the communication of sentiments and opinions in voluntary assemblies of men; all which is true, with this single reservation, that those assemblies are to be so composed, and so conducted, as not to endanger the public peace and good order of the government under which they live; and I shall not state to you that associations and assemblies of men, for the purpose of obtaining a reform in the interior constitution of the British parliament, are simply unlawful; but, on the other hand, I must state to you, that they may but too easily degenerate, and become unlawful, in the highest degree, even to the enormous extent of the crime of high treason.

"The process is very simple: let us imagine to ourselves this case: a few well-meaning men conceive that they and their fellow-subjects labour under some grievance; they assemble peaceably to deliberate on the means of obtaining redress; the numbers increase; the discussion grows animated, eager, and violent; a rash measure is proposed, adopted, and acted upon; who can say where this shall stop, and that these men, who originally assembled peaceably, shall not finally, and suddenly too, involve themselves in the crime of high treason? It is apparent how easily an impetuous man may precipitate such assemblies into crimes of unforeseen magnitude and danger to the state: but, let it be considered, that bad men may also find their way into such assemblies, and use the innocent purposes of their association as the stalking-horse to their purposes of a very different complexion. How easy for such men to practise upon the credulity and the enthusiasm of honest men, lovers of their country, loyal to their prince, but eagerly bent upon some speculative improvements in the frame, and internal mechanism of the government? If we suppose bad men to have once gained an ascendancy in an assembly of this description, popular in its constitution, and having popular objects; how easy is it for such men to plunge such an assembly into the most criminal excesses? Thus far I am speaking in general, merely to illustrate the proposition, that men who assemble in order to procure a reform of parliament may involve themselves in the guilt of high treason."

It was not the object of the Chief Justice Eyre to put his sophistical positions into plain English; but if they have any

intelligible meaning, it is this: a man may engage in the performance of a perfectly legal act, but if he does so with criminal motives, or if the act itself, legal though it may be, have a tendency to subvert the Government, he is thereby guilty of high treason. In other words, a court of law was, in the opinion of the chief justice, a court of conscience, and he, as its president, was entitled to sit in the judgment seat of God; the only being who can read the heart, and see the future in the present. This doctrine of "ultimate tendencies" would have made Sir James Eyre himself guilty of high treason; for a doctrine better calculated to subvert the British monarchy, by sapping the foundation of all order, and of all government, in destroying the securities of the subject, had never been propounded by the wildest Jacobin. An able reply to this charge of the chief justice was immediately published, in a pamphlet entitled '*Cursory Strictures*,' written by Godwin, and quoted in Howell's '*State Trials*,' but wrongly attributed to Mr Felix Vaughan.

Godwin forcibly puts the question,—

"Are we to understand that, under Chief Justice Eyre, and the other judges of the special commission, reasons are to be adduced from the axioms and dictums of moralists and metaphysicians, and that men are to be convicted, sentenced, and executed upon these? Are we to understand that henceforth the man most deeply read in the laws of his country, and most assiduously conforming his actions to them, shall be liable to be arraigned and capitally punished for a crime that no law describes, that no precedent or adjudged case ascertains, at the arbitrary pleasure of the administration for the time being? Such a miserable miscellany of law and metaphysical maxims, would be ten thousand times worse than if we had no law to direct our actions. The law, in that case, would be a mere trap to delude us to our ruin, creating a fancied security, an apparent clearness and definition, the better to cover the concealed pitfalls with which we are on every side surrounded."

These are arguments to be carefully weighed, now that State prosecutions have again become the order of the day. We need not be partisans of O'Connell to be struck with the parity of reasoning between the charge of Sir James Eyre and that of Mr Chief Justice Burton. Juries are again required to convict for offences not clearly defined by law, but only inferred to be offences within the meaning, by possibility, of some forgotten act; and, in default of real overt acts of rebellion, about which no two honest men could differ, we have the old story of "criminal intent" and "ultimate tendencies."

The alleged conspiracy in Ireland is that of "inducing and procuring large numbers of persons to assemble and meet to—

gether, in order, by intimidation and the demonstration of physical force, to procure changes in the constitution of the realm as by law established." The charge is not that any one *has* been intimidated; Peel and Wellington do not pretend to have been put in bodily fear, nor do they, nor any other persons, complain of having been individually threatened, in the ordinary sense of the term as affecting personal security; but we are to infer, from large assemblages, or from the loose and often intemperate expressions of speakers at large assemblages, that the intimidation of somebody was intended, and further, that a peaceable demonstration of physical force is an offence at law; an inference which was at least not acted upon when several hundred thousand Chartists paraded the streets of London with a petition (in itself a demonstration of physical force), signed by a million and a quarter of working men.

Let no English reformer, however much he may deprecate the course pursued by O'Connell, deceive himself upon this subject. The question now raised is not whether O'Connell shall be put down, but whether plain laws and a plain interpretation of their meaning, and the right of public discussion, shall be sacrificed to attain the object.

The injustice of that hateful policy which sends spies to public meetings to watch for words spoken in the excitement of the moment, which might afterwards be construed into the language of sedition, was ably exposed by Mr Erskine on the trial of Thelwall, who, as a popular political lecturer, had perhaps rendered himself more open to attack for unguarded expressions than any of his fellow prisoners. We quote the passage as one of the most eloquent of the defence.

"Let me ask who would be safe, if every loose word, if every vague expression, uttered in the moment of inadvertence or irritation, were to be admitted as sufficient evidence of a criminal purpose of the most atrocious nature? In the judgment of God we should indeed be safe, because he knows the heart, he knows the infirmities with which he hath clothed us, and makes allowance for those errors which arise from the imperfect state of our nature. From that perfect acquaintance which he possesses of our frame, he is qualified to regard in their proper point of view, the involuntary errors of the misguided mind, and the intemperate effusions of the honest heart. With respect to these, in the words of a beautiful moral writer—'The accusing angel, which flies up to heaven's chancery, blushes as he gives them in; and the recording angel, as he writes them down, drops a tear upon the words, and blots them out for ever.' Who is there, that, in the moment of levity or of passion, has not adopted the language of profaneness, and abused the name even of the God whom he adores? Who has not, in an unguarded hour,

from a strong sense of abuse, or a quick resentment of public misconduct, inveighed even against the government to which he is most firmly attached! Who has not, under the impulse of peevishness and misapprehension, made use of harsh and unkind expressions, even with respect to his best and dearest relations—expressions, which, if they were supposed to proceed from the heart, would destroy all the affection and confidence of private life? If there is such a man present so uniformly correct in expression, so guarded from mistake, so superior to passion, let him stand forth, let him claim all the praise due to a character so superior to the common state of humanity. For myself, I will only say, I am not that man.”

The first of the State prisoners tried was Thomas Hardy. His trial came on for hearing on Tuesday, October 28, 1794, and lasted eight days. The Attorney-General, Sir J. Scott, afterwards Lord Eldon, laboured hard to obtain a conviction, for if Hardy were permitted to escape, who as the secretary of the London Corresponding Society might be held as officially responsible for all its acts, there was but faint hope of a verdict for the Crown against any one of the other prisoners. The whole strength, therefore, of the case for the prosecution was brought to bear upon this trial. Witnesses were examined who had been employed as spies, some of whom were shown to be men of such infamous character that it was not considered safe to bring them forward a second time, and every strong-worded phrase or resolution, adopted at any of the meetings of the Corresponding Society, which ingenuity could torture into a treasonable signification, was emphatically dwelt upon. Of these a resolution entered upon the minutes of the Society, August 18, 1792, was considered to bear the hardest against the prisoner. It was simply a vote of thanks to Thomas Paine for the offer of a thousand pounds from the profits of the sale of his ‘Rights of Man,’ to be applied to the purposes of the society. The offer was declined on the ground that, “although the principal source of his enjoyment must arise from his own consciousness of the good which his labours had rendered to mankind, they did not yet think it right that he should be deprived of the profits fairly resulting from those labours.” This was held by the counsel for the prosecution to be sufficient evidence to show that the society both sanctioned the principles of the ‘Rights of Man,’ and identified themselves with the objects of that publication; long paragraphs, therefore, and even whole chapters from that work, which a former jury had declared to be treasonable, were read to the Court, to confound the case of their author with that of the prisoner at the bar.*

* We know not whether it is yet safe to quote a few of the passages referred to, but trusting that we may have credit for an inno-

This mode of reasoning, however, which if carried out would have made thought treasonable, or rendered it dangerous to speak respectfully of such a republican writer as Plato, met with the

cent wish to gratify the reader's curiosity, and that it will be believed we regard such sentiments, ourselves, with becoming horror, we give the following—

“ RIGHTS OF MAN—PART SECOND.

Page 21.—“ All hereditary government is in its nature tyranny. An heritable crown, or an heritable throne, or by what other fanciful name such things may be called, have no other significant explanation than that mankind are heritable property. To inherit a government is to inherit the people, as if they were flocks and herds.”

Page 27.—“ How irrational then is the hereditary system which establishes channels of power, in company with which wisdom refuses to flow! By continuing this absurdity, man is perpetually in contradiction with himself; he accepts for a king, or a chief magistrate, or a legislator, a person whom he would not elect for a constable.”

Page 52.—“ The history of the Edwards and the Henries, and up to the commencement of the Stuarts, exhibits as many instances of tyranny as could be acted within the limits to which the nation has restricted it. The Stuarts endeavoured to pass those limits, and their fate is well known. In all those instances we see nothing of a constitution, but only of restrictions on assumed power.

“ After this another William, descended from the same stock, and claiming from the same origin, gained possession; and of the two evils, James and William, the nation preferred what it thought the least; since, from circumstances, it must take one. The act, called the Bill of Rights, comes here into view. What is it but a bargain, which the parts of the government made with each other to divide powers, profits, and privileges? You shall have so much, and I will have the rest; and with respect to the nation, it is said, for four shares you shall have the right of petitioning. This being the bill of rights is more properly a bill of wrongs and of insult. As to what is called the convention parliament, it was a thing that made itself, and then made the authority by which it acted. A few persons got together, and called themselves by that name. Several of them had never been elected, and none of them for the purpose.

“ From the time of William, a species of government arose, issuing out of this coalition bill of rights; and more so, since the corruption introduced at the Hanover succession, by the agency of Walpole; that can be described by no other name than a despotic legislation.

“ Though the parts may embarrass each other, the whole has no bounds; and the only right it acknowledges out of itself, is the right of petitioning. Where then is the constitution either that gives or that restrains power?

“ It is not because a part of the government is elective, that makes it less a despotism, if the persons so elected possess afterwards, as a parliament, unlimited powers. Election, in this case, becomes separated from representation, and the candidates are candidates for despotism.

“ I cannot believe that any nation, reasoning on its own rights, would have thought of calling those things a constitution, if the cry of constitution had not been set up by the government.”

Page 63.—“ With respect to the two houses, of which the English parliament is composed, they appear to be effectually influenced into one, and, as a legislature, to have no temper of its own. The minister, whoever he

treatment it deserved. Hardy was acquitted, and a pause ensued in the proceedings; the Attorney-General took twelve days to consider his further course; but on the 17th of November the next prisoner on the list, John Horne Tooke, author of the '*Diversions of Purley*,' was put to the bar. In this case the prosecution more signally failed than in the former. Among all the accused, Tooke was, perhaps, the least likely to have engaged in a conspiracy. In these days he would be called only a moderate Whig. He was less a democrat than a reformer of the Grey school, with stronger sympathies in favour of the higher classes than of the lower, however much he might denounce the proceedings of the aristocracy. Nothing new was brought forward in evidence. The principal facts were, that the Society of Constitutional Information, of which Tooke was a member, had opened a subscription for the benefit of Thomas Paine,

at any time may be, touches it as with an opium wand, and it sleeps obedience.

"But if we look at the distinct abilities of the two houses, the difference will appear so great, as to show the inconsistency of placing power where there can be no certainty of the judgment to use it. Wretched as the state of representation is in England, it is manhood compared with what is called the House of Lords; and so little is this nick-named house regarded, that the people scarcely inquire at any time what it is doing. It appears also to be most under influence, and the furthest removed from the general interest of the nation. In the debate on engaging in the Russian and Turkish war, the majority in the House of Peers in favour of it was upwards of ninety, when in the other house, which is more than double its numbers, the majority was sixty-three."

Page 107.—"Having thus glanced at some of the defects of the two houses of Parliament, I proceed to what is called the Crown, upon which I shall be very concise.

"It signifies a nominal office of a million sterling a year, the business of which consists in receiving the money. Whether the person be wise or foolish, sane or insane, a native or a foreigner, matters not. Every minister acts upon the same idea that Mr Burke writes, namely, that the people must be hood-winked, and held in superstitious ignorance by some bugbear or other; and what is called the Crown answers this purpose, and therefore it answers all the purposes to be expected from it. This is more than can be said of the other two branches."

Page 161.—"The fraud, hypocrisy, and imposition of governments are now beginning to be too well understood to promise them any long career. The farce of monarchy and aristocracy, in all countries, is following that of chivalry, and Mr Burke is dressing for the funeral. Let it then pass quietly to the tomb of all other follies, and the mourners be comforted.

"The time is not very distant when England will laugh at itself for sending to Holland, Hanover, Zell, or Brunswick for men, at the expense of a million a year, who understand neither her laws, her language, nor her interest, and whose capacities would scarcely have fitted them for the office of a parish constable. If government could be trusted to such hands, it must be some easy and simple thing indeed, and materials fit for all the purposes may be found in every town and village in England."

author of the 'Rights of Man;' that Tooke had assisted in correcting the manuscript of an inflammatory letter, not written by him, but by an honest man, who would have been brought into trouble had the letter been published in its original state; and that Tooke had attended a convention of delegates from reform societies. The latter charge was met by showing that the crime imputed was one unknown to the Statute book, and that if an offence, it was one of which the Prime Minister himself had been guilty. Pitt and Sheridan had been subpoenaed by Tooke with this view; and we must make room for their examination, as one of the most interesting features of these trials.

"The Right Hon. William Pitt (First Lord of the Treasury, and Chancellor of the Exchequer) sworn: examined by Mr Tooke.

"I beg Mr Pitt to say whether that is his hand-writing? (showing Mr Pitt a letter).—It is.

"Lord Chief Justice Eyre: You must state what it is.

"Mr Tooke: It relates to the importance of a Parliamentary Reform.

"Lord Chief Justice Eyre: How is this connected with your case?

"Mr Tooke: In the same way as the Duke of Richmond's letter, which your lordship admitted; that was introduced as a justification to Mr Hardy, and those persons who pursued his plan; and I introduce this as a justification for myself.

"Lord Chief Justice Eyre: Observe; Mr Hardy introduced the Duke of Richmond's plan by showing that they had professed to follow, and had followed it; if you show that you adopted or followed any particular plan supported by Mr Pitt, then you make that evidence upon the same principle. You cannot introduce it in the manner you now propose.

"Mr Tooke: Mr Fox, in his evidence, has proved a meeting at the Thatched-house tavern, where I attended; and he has proved that I supported, at that place, the thanks of that meeting to Mr Pitt, for the motion that he had made.

"Lord Chief Justice Eyre: And do you state this to be that specific motion?

"Mr Tooke: That specific motion, which at any time regulated my conduct.

"Lord Chief Justice Eyre: If it be the specific motion Mr Fox alluded to, you may properly read it.

"Mr Tooke: This is the whole of the plan which I ever pursued; this is recommended by Mr Pitt; I thought it essentially necessary to the independence of Parliament, and the liberty of the people: I never was a favourer of any particular plan; the whole of my efforts have been directed to reform; and what I am brought here for is, the having been friendly to any sort of reform that should alter the present situation of the representation in the House of

Commons, thinking none could be for the worse; not having been a favourer of any particular plan more than of the plan of this gentleman, which they cannot say I followed, because I was in it before he was born; he, in a high situation, I followed in his steps, having always done as that right honourable gentleman has done; assuring the committee that my exertions should never be wanting in support of a measure, which I agreed with them in thinking essentially necessary to the independence of Parliament, and the liberty of the people.

“ Lord Chief Justice Eyre: I have stated that, as to any plan of a particular gentleman upon the subject of a reform of Parliament, or any other subject, unless you connect, by evidence, your own conduct with it, that plan is not admissible evidence.

“ Mr Tooke: This is no plan.

“ Lord Chief Justice Eyre: Whatever it be, any sentiment expressed by a particular gentleman is nothing, unless you adopt it, and make it your own in your evidence. I told you that, in the case of Hardy, they offered in evidence that they had acted upon the Duke of Richmond’s plan; in order, then, to see what they acted upon, it was necessary to look at the Duke’s plan; if you can, preparatory to reading this paper, show that you acted upon this paper, or can, in any other way, connect your conduct with this paper, then it will be evidence.

“ Mr Tooke: I conceive I have proved that, both by the Duke of Richmond and Major Cartwright. I take it I have proved, that I acted precisely upon the plan of the right honourable gentleman. I say the reason why he pledged his exertions, as I have always done mine, is, that it is essentially necessary to the independence of Parliament, and the liberty of the people.

“ Lord Chief Justice Eyre: If it were your own plan, and Mr Pitt, or any other gentleman, had adopted your plan, that would not make it evidence; the only way in which it could have been made evidence, was by Mr Fox’s evidence. Now, the way in which I thought you had endeavoured to make it evidence was, that there was a meeting, and you proposed to thank Mr Pitt for the specific plan he proposed in the House of Commons; if this is that specific plan, it would be admissible.

“ Mr Erskine: Never having seen the letter my client holds in his hand, it was, for every reason, better he should take this part of the examination upon himself; but, I think, it is not attended to by the Court what Mr Tooke insists upon, and how he conceives he is in a condition to read this letter. If I attended properly to the Duke of Richmond’s examination, his grace proved that there was a meeting there—whether a convention, or what it was, signifies nothing—there was a meeting of gentlemen of great distinction, undoubtedly, at the Thatched-house tavern; and many of these persons were very desirous of adopting the plan his grace had been the espouser of, namely, universal representation; that it was proposed

that those persons should give up insisting upon that specific plan of reform, and should rather trust it to the discretion and integrity of the right honourable gentleman whose name was mentioned, and who is now sworn as a witness. Mr Horne Tooke (by your lordship's assistance, showing him the fallacy of the examination, unless it came to that point) was to fix the time—whether there was, at that time, any specific proposition of reform by Mr Pitt; and it came out by a conclusion, which amounts to a mathematical demonstration, that that must have been so; for the Duke of Richmond said he had never been at any public meeting with Mr Horne Tooke and Mr Pitt subsequent to the time when he did make the proposition.

“Lord Chief Justice Eyre: I have put a mark against the whole of that evidence in my notes—that it amounts to nothing, because Mr Tooke has not connected any act of his with the Duke of Richmond's examination.

“Mr Erskine: That is what I am just going to do. Your lordship puts a mark upon the evidence, that, as yet, that connexion has not been established; but your lordship does not put a mark upon it, that his grace has not sworn what I am stating, namely, that he had never been at a public meeting with Mr Tooke and Mr Pitt subsequent to that time; it, consequently, must have been before Mr Pitt moved any specific resolution, that what passed between Mr Horne Tooke and the Duke of Richmond, did pass.

“Lord Chief Justice Eyre: The objection is, that nothing passed between Mr Tooke and the Duke of Richmond. The Duke recommended, at that meeting at which Mr Tooke was present, that every man should give up his sentiments, leaving it to the honour and discretion of Mr Pitt what plan to pursue, in order to obtain a reform in Parliament, upon which nothing was done by Mr Tooke, one way or other.

“Mr Erskine: To which Mr Tooke assented.

“Lord Chief Justice Eyre: That was not proved.

“Mr Erskine: I understood it was taken for granted that he assented to that.

“Lord Chief Justice Eyre (to the Duke of Richmond): Does your grace recollect whether, when you proposed that every person should give up his own particular opinion, and be disposed to submit to a partial reform, proposed by Mr Pitt, what part was taken by Mr Horne Tooke on that occasion?

“Mr Tooke: I beg his grace to say whether there was any dissenting voice—was it agreed to by the meeting?—Duke of Richmond: I think so.

“Mr Erskine: I submit to the judgment of the Court, that Mr Horne Tooke is now in a condition to have this letter read, not knowing what the contents of the letter are, or how they will particularly bear upon the case; for the reason given, not having heard it, I do not know.

“ Lord Chief Justice Eyre : Whom is the letter to ?— Mr Tooke : It is a letter written by Mr Pitt, upon the subject of Parliamentary Reform.

“ Lord Chief Justice Eyre : To whom ?— Mr Tooke : I do not know that ; but Mr Pitt declares it to be his hand-writing, though not seized by the Secretary of State. I beg your lordship to consider that things found in my hand-writing, without address or signature, have been read ; and this is in Mr Pitt’s hand-writing, a much greater hand than mine.

“ Lord Chief Justice Eyre : That does not make it evidence ; he will be to give evidence of any fact contained in that letter, in his own person, using his letter only as something to refresh his memory.

“ Mr Tooke : Then I beg to give it him to refresh his memory.

“ Lord Chief Justice Eyre : If you can connect this letter with the proceedings at the Thatched-house tavern, then, upon the ground we have gone upon before, I can admit the letter to be read, otherwise I cannot.

“ Mr Erskine : I conceived it in my argument, to be a letter to Mr Tooke.

“ Mr Tooke : I beg Mr Pitt to say, if he can recollect to whom this letter was sent.

“ Mr Pitt : I am not able to recollect the name and the person ; I can only judge from the contents of the letter, what description of person it might have been directed to, probably to some person who acted as a chairman of a Westminster Committee ; because I observe it is taking notice of my not having been at home when the person to whom the letter was addressed, and the other gentlemen from the Westminster Committee, did me the honour to call. At this distance of time, really I have no recollection who the individual was.

“ Mr Tooke : Have you any recollection of meeting me at the Thatched-house tavern, in a convention of delegates from different counties ?

“ Mr Pitt : To what time does that question refer ?

“ Mr Tooke : The middle of May, 1782, or thereabouts.—I recollect meeting a number of persons at the Thatched-house tavern sometime subsequent to the first motion which I made in the House of Commons in relation to Parliamentary Reform, and which must, I think, have been about the middle of the month of May, 1782.

“ Do you recollect what his Grace the Duke of Richmond recollects, that a proposal was made—I should first say, that it was of little consequence that you should have met me there—but do you recollect meeting Lord St John there, or Mr St John ?—I think Mr St John was present, but I am not certain. That, perhaps, may bring to your recollection that I was present ; it is not worth while to attempt that, but by mentioning some conversation that passed at the time, that made you laugh, I might possibly call it to your memory. I cannot say who was present, but I should rather state from recollection, that Mr Horne Tooke was present.

“Do you recollect, at that meeting, recommending to those who were there met, and to me if I was there among them, to endeavour to obtain in the course of the summer the sense of the people throughout England, in their different parishes, or smaller districts, in order to lay a foundation for future application to Parliament with effect? —I have no particular recollection of recommending such a measure; but my general recollection is that it was the sense of that meeting that means should be taken during the summer to recommend petitions to Parliament, in the next session, with a view to reform.

“Mr Tooke: I suppose I may now have that letter read.

“Lord Chief Justice Eyre: No; you are not at all forwarded for reading that letter.

“Mr Tooke: Then I hope I may have it back again.

“Lord Chief Justice Eyre: Certainly.

“Mr Tooke: I did intend to have asked the right honourable gentleman many other questions, but certainly the laugh of the Court prevents me from being serious; therefore I will ask him no more.

“The Right Hon. William Pitt cross-examined by Mr Attorney-General.

“Was there anything passed at that meeting about using measures to bring about a convention of the people by delegates from affiliated societies?

“Mr Pitt: Two meetings have been spoken of in the course of the examination I have heard; I wish to know for precision, which meeting the question refers to?

“To the meeting in May, 1782.

“Mr Pitt: The meeting subsequent to the motion made in Parliament.

“Mr Attorney-General: I do not know that. You stated that Mr Tooke was present at a meeting some time in May, 1782; was there any purpose in that meeting to bring about a convention of the people by delegates from affiliated societies?—There certainly never was any such idea stated by any man in my presence.

“Mr Tooke: Were we not a convention, instead of meeting for the purpose of bringing about a convention? What was that meeting but a convention of delegates from different towns and counties throughout England? Was it, or was it not, a meeting or convention of delegates, appointed by the different committees of different counties and great towns in England? —I have not an exact recollection at this time how that meeting was composed, but I did not consider it as a meeting of persons who were authorised to act for any, but themselves.

“Mr Tooke: Then I will not trouble you with any other questions, because this question I shall have answered by many other persons, and it is not fit I should vex your recollection. I will ask merely one question—I am sorry to trouble you with it—perhaps, sir, you may be able to recollect that the petition was objected to in the House of Commons, upon that very ground, that it came from

persons in a delegated capacity?—No petition came from the meeting to which I allude.

“But that meeting was the ground, cause, and beginning of those petitions which afterwards followed?”

“Lord Chief Justice Eyre: I understand your question to be, whether any petitions to Parliament were objected to in Parliament, as coming from delegated persons.

“Mr Pitt: I have no recollection in my mind of any petitions subsequent to that meeting that were objected to upon the ground stated; at this distance of time I cannot pretend to speak positively to that circumstance.

“Mr Tooke: Your lordship will see that I avoid asking these questions from the right honourable gentleman, not thinking it fair that he should be called upon at this distance of time for a recollection of such minute particulars as these, though I am.

“Lord Chief Justice Eyre: And if you can prove it by other evidence, it certainly will be regular to do it.

“Mr Attorney-General: I mean to ask whether the persons who composed that meeting attended as delegates of the people; whether they were to act for themselves, or merely for the persons who sent them?”

“Lord Chief Justice Eyre: That question was answered.

“Mr Pitt: I understand those persons as expressing their own sentiments, not binding others.

“Lord Chief Justice Eyre: Nor deputed by others?—I do not know but that some of those individuals might have been deputed for the purpose of promoting the object of an application to Parliament; I cannot state exactly how that meeting was composed.”

The evasive character of these replies did not tend to aid the cause of the prosecution, and it seems subsequently to have occurred to Pitt that by this *non mi ricordo* testimony, upon matters of fact as notorious to every one present as the sun at noon-day, he had exhibited himself in rather a contemptible light. It is probable also that the shouts of the mob outside the Court reached his ears, for word having been brought of what was going forward within, ironical cries were heard of “Pitt can’t recollect,” “Pitt has lost his memory.” The decided evidence of Richard Brindsley Sheridan, on the same subject, at last induced the Minister to offer a further explanation.

“Richard Brindsley Sheridan, Esq., re-examined by Mr Tooke.

“Mr Tooke: It is necessary for me to set right what appears to be imagined by the learned counsel, by some question that he asked. Was that anniversary meeting on the French Revolution, before or after the Westminster election in the year 1790?—I think that must have been after the election.

“You said a great number of the Whig Club agreed to attend—were there many of that club attending that meeting?—A great number.

“Do you suppose that the particular personal violence against me might not arise from the gentlemen of the Whig Club, who had unanimously been supporting Mr Fox, in opposition to me, at that Westminster election?—There certainly was, in the party I was in, no cordial good will towards Mr Tooke.

“Mr Tooke: The opposition was personal, and not to the motion; for afterwards, when they came to hear the moderate language I held, they unanimously adopted my motion.

“Lord Chief Justice Eyre: When does Mr Sheridan understand the first meeting of delegates to have been held, and where?—There was a meeting of delegates held, I think, in an auction-room somewhere near King street; but as to the time, I cannot be positive; I rather think I did not attend; I was either unwell, or something prevented me—I remember Mr Thomas Grenville was a delegate for the city of Westminster.

“Lord Chief Justice Eyre: Do you happen to know how many met, and for how many places they were delegated?—I am sorry I have not refreshed my memory upon that subject, but the proceedings are all collected and printed.

“Lord Chief Justice Eyre: Do you recollect where the next meeting was?—I really do not; I rather think the next was in Guildhall.

“Lord Chief Justice Eyre: Was that a meeting of the same delegates from the same places, or was it a meeting of other persons?—I am pretty sure of other persons.

“Lord Chief Justice Eyre: Of persons that were known by the name of the Quintuple Alliance?—Certainly not; I am pretty positive not; I am sure not.

“Lord Chief Justice Eyre: Do you think it was a meeting of other delegates?—I knew very few of the gentlemen; they were gentlemen from different parts of England, who produced their powers.

“Lord Chief Justice Eyre: What was the next meeting you recollect?—I do not know whether the meetings were very formally separated, or grew thin, and fell off without any formal breaking up.

“Lord Chief Justice Eyre: Do you recollect any meeting of delegates at any other places?—I forget the nature of the meeting at the Thatched house: nor am I sure that I was at it. I rather think I was not: I do not think that could be called a meeting of delegates, though there were certainly persons there that were not members of Parliament. At the Duke of Richmond’s house in Privy gardens, I remember proposing that Mr Pitt should be requested to move a reform of Parliament in the House of Commons.

“Lord Chief Justice Eyre: That is all that you recollect particularly of the meetings?—Yes.

“Mr Attorney-General: My learned friend is calling one witness to contradict another.

“Mr Erskine: I am not calling one witness to contradict another.

“Lord Chief Justice Eyre: There was some question that tended that way undoubtedly.

"Mr Pitt: I understood I was asked only to the meeting at the Thatched house; I also recollect being present at a meeting at the Duke of Richmond's.

"Lord Chief Justice Eyre: I understood you to give no account of the meeting at the Duke of Richmond's.

"Mr Pitt: That being mentioned, I wish not to correct my evidence, for I have nothing to correct in it; but to add, that there was a meeting previous to my making the motion for a Parliamentary Reform, not at the Thatched house, but at the Duke of Richmond's; and at which were present a considerable number, I believe, of members of Parliament, and some persons who were not members of Parliament, and who, I conceive, had been delegated from different county meetings, and several cities and towns."

The evidence given by Major Cartwright was the most characteristic of the man, and of the object of Tooke in connecting himself with the Reform Associations of the period. The Major said—

"He had heard Mr Tooke use a simile to show that his object in a Parliamentary Reform did not go so far as that of some others. He compared a society for Parliamentary Reform to a number of persons who got into a stage coach with an intention to travel a certain distance. One man chooses to get out at Hounslow, another wishes to go as far as Windsor, and a third perhaps still farther. A reform of the House of Commons, said Mr T., is what I want. When I find myself at Hounslow I will get out,—those who choose to travel farther may, but no farther will I go by —."

This trial occupied six days, but the jury required but nine minutes for the consideration of their verdict, which was "Not Guilty."

It was now generally thought that the prosecution in the case of the remaining prisoners would be abandoned, but four only of the number, Bonney, Kydd, Joyce, and Holcroft, were liberated. The patience of the rest was yet to be exercised by a further experiment of the Attorney-General, made apparently in the hope that Thelwall, as a public lecturer, had so committed himself by strong expressions that some of them would prove a net in which he could not fail to be caught. But this hope was also illusory; it was shown that Thelwall, however loudly he might have denounced the policy of Government, had with equal energy exerted himself to oppose every proposition of violent measures, or of a resort to any means for attaining reform, inconsistent with a reverence for the laws. This trial commenced Dec. 1, 1794, and closed with a verdict of acquittal on the 4th.* With it terminated the whole of the proceedings.

* It will be remembered by an anecdote of "quick firing," which is perhaps better known than any other circumstance of the trial. During the

We could not describe, for it is even difficult to imagine, as it is long since the public mind has been in a similar excited state, the intoxication of delight with which each of these verdicts was received. Within the Court no remonstrances of the Judge could restrain the applause of the spectators. Dense crowds occupied the streets without, and the shout, or rather scream of joy which broke forth on the announcement of the result, was startling and terrific. No telegraph or railroad has since communicated intelligence with greater rapidity than the lightning-speed with which the news reached, in a moment, the most distant parts of the metropolis. On each occasion the mob waited for the coaches or carriages of Erskine and Gibbs, and the prisoner released, and (taking out the horses) dragged them in triumph to their places of residence.

When Hardy was acquitted, the foreman of the jury, in pronouncing the verdict, was so overcome by his emotions that he literally fainted away; but even the rudest of the mob was affected to tears when Hardy, after having been conducted by the people with joyous exultation to his house in Piccadilly, addressed them at parting. We have mentioned the death of Mrs Hardy while her husband was in prison. Hardy wore the suit of mourning in which he had appeared during his trial. "He had to thank the many friends he saw around him for the interest they had taken in the defeat of the Government prosecution. A victory had been gained over oppression; but alas! for him it was no triumph. In his case, though pronounced innocent, the object of his persecutors had been gained. They had had their victim. *She* was gone whose life was dearer to him than his own. His home was desolate; but he had no home now. His house had been pillaged by ruffians, and left in ruins. He had been deprived of the means of earning an honourable subsistence; and even for the evening meal, and the night's lodging, he must be indebted to the hand of kindness or charity."

Mark Anthony's oration over the body of Cesar could not have produced a more powerful effect than these few simple but touching words on the hearts of his hearers; words, however, not intended to inflame, but only the artless expression of unaffected sorrow, which none could refuse to share. Silently and sadly the people separated to their own places of abode. But Hardy examination of the witnesses for the prosecution, Thelwall saw so many important points of which he was fearful his counsel would not avail themselves, that he thought he would undertake his own defence. Accordingly he passed a little slip of paper to Erskine, on which was written, "I think I will plead my own cause;" to which Erskine replied, "If you do you'll be hanged." Thelwall instantly returned, "Then I'll be hanged if I do."—*Life of Thelwall*, page 258.

did not want friends; a subscription was immediately raised to establish him again in business, and soon after he was enabled to open a shop in Fleet street, at the corner of Fetter lane.

The injury he had sustained in his property was occasioned by the practice, common enough at that period, of hiring mobs for party purposes. At the Westminster elections "bludgeon men" were engaged as a matter of course by both candidates to annoy or defend their respective voters. In 1794, at the contest between Lord John Townsend and Lord Hood, in which 100,000*l.* were spent by the Whig and Tory factions, one man was killed by the violence of the bludgeon men, some of whom, on being prosecuted by Tooke for the crime, were bailed out by the proprietor of Brookes's, in St James's street, and ultimately permitted to escape. The Government, when they wished to get up a show of public rejoicing for a victory, in spite of the unpopularity of the war, hired mobs, composed of men who were sometimes traced the next day to Somerset house, to go round the streets and compel the inhabitants to illuminate. These men were paid from 5*s.* to 10*s.* per day, and although they were not expressly instructed to destroy or plunder, it was well understood that an excess of zeal against the opponents of Government would be considered only a venial offence. Hardy's house was again attacked by one of these Government gangs, subsequent to his liberation. Refusing to illuminate, or to exhibit a single rushlight at their command, all his windows were immediately smashed in, while he himself sat in a room of the basement, and listened to their destruction.

After the trials the country, which had at first been thrown into a panic by the arrests for high treason, recovered its spirit. Tooke abjured politics, but Thelwall continued to lecture, and the members of the Corresponding Society resumed their sittings. A fresh agitation was commenced against the war, and in favour of Parliamentary Reform, but the next year the protection of law was taken away from all who were engaged in the promotion of these objects. In November, 1795, two acts were introduced by Lord Grenville and Mr Pitt, one of which prohibited for the time all lectures on political subjects, and rendered it illegal, except under certain impossible restrictions, for more than twelve persons to meet in one room to discuss any political grievance. These acts, notwithstanding the public commotion they occasioned, and the opposition of the whole of the Whig party, passed into a law, and the Society for Constitutional Information and the London Corresponding Society were immediately dissolved.

The despotism of the Minister, under what it was then a

mockery to call a Constitutional Government, was now as complete as that of the Emperor of Russia. The whole nation was gagged, and the press-gang or the militia conscription, which were brought to bear upon every one whose opinions were suspected, silenced discontent. The three years which followed were the most disastrous of English history. The Allies had been everywhere defeated:—British troops driven with ignominy from the Netherlands, having lost four-fifths of their original force. France, triumphant, changed its defensive into an aggressive policy. England was threatened with an invasion, and left alone to resist it. Advantage was taken of the alarm this occasioned to exact fresh sacrifices from a nation already overwhelmed with the burdens occasioned by the war. February 27, 1797, the Bank suspended cash payments. The same year occurred the mutinies of the fleet at Spithead, at the Nore, and at the Cape of Good Hope—all with difficulty suppressed. In July Nelson was defeated in an attack on Santa Cruz. The Irish Rebellion broke out in 1798. We may sum up the whole in the language of W. J. Fox, who as chairman, on a late occasion, of the Annual dinner instituted to commemorate the trials of 1794, thus eloquently alluded to the principal actors in the scenes we have described:—

“What were the men who were thus persecuted? They could not know a man of higher principles, of simpler mind, and of more straightforward character—whose private life was more pure, or whose public life was more honest, than that of Thomas Hardy. In the ranks of literary men, whether they endeavoured to develop truth from the appearances of physical phenomena, or from the literature and institutions of bygone ages, where was there an acuter mind than that of John Horne Tooke? or who so clearly had displayed he beauty, the variety, and the power of the English language, and had led so many to sound and lucid thought, who would otherwise have been lost in the interminable desert of verbiage? Among those who delighted the imagination and painted truth and life in those vivid colours which seized the attention of the reader, and whose works are still produced on the dramatic scene, to rival those of our contemporaries, who was more eminent at the time, and who had left more enduring claims upon us than Thomas Holcroft, the author of ‘Anna St Ives’ and the ‘Road to Ruin’? There was among them Thelwall, whom many had listened to as the expounder of ancient and modern history, and who, as a professor of elocution and oratory, was afterwards employed to teach clergymen to read with impressiveness that burial service which some would too willingly have read to him, on his own passage to a felon’s grave by injustice and legal violence. Jeremiah Joyce escaped the gallows to carry his conquests into French Educational Institutions. If the Crown

lawyers and the Minister of that day had been triumphant, history would have wanted the remarkable fact, that at a time when the power of France threatened to overwhelm Europe, Jeremiah Joyce was teaching the students of the Polytechnic School, by means of his scientific dialogues, adopted as a text book under the direction of Napoleon; training thought there, and winning a nobler triumph over those students than they afterwards acquired in arms. These were the men chosen by William Pitt as the first sacrifices, because they advocated the principles from which he himself had apostatised. A jury decided between them, posterity will decide between them, nature and fact have decided between them; for many of the objects of his persecution led peaceful and some of them long lives; they saw the principles they advocated advancing in public estimation; some remained to witness the success of not a few of their opinions, and to feel the joyful and certain presage of the advancing victory: and what was his fate? Baffled in one scheme after another; forming coalition after coalition with continental powers, only to be abandoned, after a fearful waste of English life and English treasure; fighting against Napoleon till he raised him from a lieutenant to an emperor; fighting against France, after Burke's declaring that it was blotted from the map of Europe till nothing but France was left in the map; sinking under accumulated disasters; unable to keep the faith of a statesman with his fellow subjects in Ireland; postponing his promise of Catholic Emancipation, the bargain and bribe of the Legislative Union; his strength giving way; looking nightly across to benches, where his opponents were banded together waiting his death to guide the nation in a different direction; with hopes blighted by disappointment; branded with apostacy; his financial schemes beginning to show themselves the mere hoax which subsequent events proved them; with the guilt of blood on his soul, the moan of suffering millions as his death dirge, and the curse of history upon his name, Pitt went to his grave, leaving his debts to be paid by the sweat and toil of millions, and his monument to be erected out of the spoils of monopoly, and the orgies of corruption. Who would not be one of these persecuted individuals rather than such a man? It had been usual to drink this toast in solemn silence; he would not so propose it, for whatever symbols of grief might appear becoming over a grave which had recently closed, he would now say with Byron in his 'Hebrew Melodies,' when celebrating the hero Maccabeus—

“ ‘Thy name our charging hosts along
 Shall be the battle word;
 To mourn would do thy memory wrong,
 Thou shalt not be deplored.’ ”

‘ W.

P O S T S C R I P T.

WE resume our pen for a few last words. In the preceding article on the State Trials of Hardy, Tooke, and Thelwall, we left off on the eve of the Irish Rebellion. Where are we now? What is the nature of that crisis in public affairs at which we have arrived? Let us note, first, the fact that we have a Government which, after some plausible professions of liberality, has shown its real policy to be that of the mere Toryism,—unchanged in any of its essential features, which characterized the Government of 1798—and by Toryism we mean intolerance in religion, distrust of the people, jealousy of organic improvements, and the doctrines of class interests and physical force. It is now evident, from the Irish Arms Bill, and the Bill for arming the Chelsea Pensioners, of the last session, followed by the dismissal of magistrates, and state prosecutions, that the present Cabinet many months back contemplated, doubtless as a fatal and, in their eyes, an unavoidable necessity, measures which would end, as Ministers supposed (and may yet so end), in the effusion of blood. The delay in issuing that Draconic proclamation of the Lord Lieutenant, not posted in Dublin till the hour of dusk, against a meeting to have assembled at Clontarf the following morning (and upon which delay, in circumstances deemed of the utmost urgency, Parliament, we trust, will express an opinion), would almost seem to have been designed to provoke a collision between the troops and the people. History is lost upon such men, or, as extremes meet, the regime of terror must have as many charms for modern rulers as it had for those other statesmen, who, fifty years ago, when they discussed the overthrow of monarchy in an old monastery of the Jacobin monks, placed their dependence on the same principle of governing by fear, but without exactly seeing to what it would lead.

The immediate forerunner of the rebellion of 1798, and to some extent its exciting cause, was the Irish Arms Bill of 1796, by which leave was given to the Lord Lieutenant to place a disturbed district under marshal law, and a power of arbitrary imprisonment was vested in Orange magistrates. The abuse of these powers, more, perhaps, than the refusal of Catholic Emancipation, or the neglect of Irish grievances generally, was the means of kindling into flame those materials of insurrection which, from centuries of misrule, had always abounded in Ireland and still abound. In vain did Fox present to the King, at his

even, December, 1797, a petition, signed by 5,000 Irish freeholders, praying for conciliatory measures; in vain did Earl Moira, in the February following, move in the Irish House of Lords, an address to the Lord Lieutenant, praying that a less violent policy might be pursued. The cruelties which had irritated the public mind were sanctioned, if not designed by Government: the object was to provoke a rebellion before one could be successfully organized, that the popular leaders of the day might be crushed and Irish agitation suppressed, at once and for ever. Conspiracies were fomented by Ministers, that the most formidable of their opponents might be entrapped; and this time the device succeeded better than it had done with English reformers.

An insurrection broke out in May, 1798. Lord Edward Fitzgerald was arrested on the 21st. On the 25th the Irish insurgents obtained possession of Wexford. On the 21st of the month following they were finally defeated by General Lake, at the battle of Vinegar hill. The rebellion was short lived, but thirty thousand persons perished before it was put down. It is horrible to reflect that preparations have actually been made, and continue to be making, for the anticipated renewal of the wholesale massacres of that period; nay, that without a change of Ministers, or the entire abandonment of their present policy, we cannot escape this frightful result. Let all men ask themselves, when they see the idols of a nation prosecuted for sedition, in what will this end? Will O'Connell in prison be a less dangerous agitator than O'Connell at large? Will there be fewer disturbances in Ireland or fewer soldiers needed to suppress them, when the exasperation of the populace has been raised to the highest pitch? And, if a verdict be *not* obtained for the Crown, will the triumph of O'Connell diminish the agitation for repeal? Will it increase the moral influence of Government, or render it less dependent than last year upon new stringent enactments, or military demonstrations? Alas! that, owing to the defective constitution of our universities, where nothing useful appears to be taught, the very A B C of metaphysical philosophy is unknown to statesmen of the present day. Any mere school-boy capable of understanding a chapter of Locke, Stewart, Reid, or Brown, or even of 'Fox's Book of Martyrs,' might teach the ruling section of the aristocracy the lesson they seem yet to have to learn,—that by the common laws of mental association our sympathies are intimately allied with our convictions, and that, therefore, the surest of all instruments for the propagation of opinions is persecution.

In this law of the human mind lies the secret of O'Connell's

influence — and great must be his exultation that the very •men who have long been watching a favourable opportunity to wreak upon him the vengeance of the law, have allowed themselves unconsciously to be used by him as tools. His taunting speeches and monster meetings have had but one object,—to induce the Government to take the false step of declaring a war against principles; and the object has been gained. By no other means could the question of repeal have been raised into the importance of a really national question; and now it is one that may shake the kingdom to its centre. Three years ago, before the agitation had been denounced in Queen's speeches, or coercive bills had been passed to repress it, or popular magistrates had been dismissed, or state prosecutions had been commenced, how faint were the prospects of repeal! Now, who will venture to predict that the Legislative Union will remain in force another twelvemonth? The Union is already practically dissolved. Ireland is not an integral part of a united kingdom, when, to hold it, every village is turned into a barrack yard—every port blockaded by a fleet. It is a country of which the conquest has yet to be completed, and of which the moral conquest has yet not even been attempted. We are told that Ireland cannot be governed by moral influences alone; —why it is so governed; not indeed by Ministers, who have but one weapon of which they know the use, but by O'Connell. It is said that the Queen's peace could not be kept among the "excitable Irish" by a Government resting only upon persuasion; and yet the Queen's peace is kept by no other means, and the obedience of millions to persuasion has been demonstrated not only by O'Connell, but by Father Mathew. And by what talisman have these men wrought the miracles we have seen them accomplish? Their unequalled moral dominion over the human mind rests upon no other basis than that of the awakened sympathies of the multitudes they have addressed. The people have said, "These men are in earnest, and they feel for us; our cause is their cause, and, therefore, their cause shall be ours; what they say to us we will do, and should they be traduced or persecuted we will do it the more." And if real power over the hearts of men be attainable by such simple means, what is there to prevent it being exercised by a Government? Are the people less prone to believe the promises of their superiors than of humble individuals among themselves? All history proves the contrary. The credulity of mankind in putting trust in the promises of princes has been proverbial in every age; princes who have kept their promises, and really reigned not for the selfish object of ambition, but for the public good, have been deified and adored.

Tell us not of five hundred thousand Irishmen assembling for the purpose of practically renouncing their allegiance to the Crown. There never has been held, in our time at least, a monster meeting which one *kind* word from Royal lips would not have instantly dispersed. Imagine the Queen, instead of visiting the King of France, or her uncle Leopold, to have been induced, though but from political motives merely, to visit Dublin; imagine a progress, not from palace to palace, from one scene of splendour to another, but from poverty-stricken towns to ruined mud villages, from the vice-regal castle to the cabins of the village peasantry. Imagine the impression that might be produced by one feeling inquiry overheard, "Are these things indeed so? Can they not be remedied? *Shall* they not be remedied, and I yet remain sovereign of this realm?" Alas, instead of such expressions, before which the fabric of O'Connell's power would have crumbled into dust, the Queen, by a blunder of her Ministers, equal only to their bad taste, has been made to utter threats!

And you, hero of a hundred fights, but not the hero of your country—Irishman, of whom Ireland is not proud—if you have not the affections of a people whose love no act of yours has shown a wish to earn, yet face them not as an enemy in your old age. See, they have put into your hands the sword: throw not away the scabbard. Let not the land which gave you birth be your last battle-field. Seek not a grave there!

With regard to the merits of the repeal question, the delusion of the Irish upon the benefits which might accrue from a dissolution of the Union, cannot yet be greater than that of Peel, of the mischievous consequences to be apprehended, when he declared that the alternative of civil war was to be preferred to repeal. The object sought does not appear to be a separation from the Crown, for the kings of England were kings of Ireland before the Union, but simply a local legislature for the discussion of questions purely Irish; similar to that which existed three and forty years ago; but with this difference, that its members should be fairly chosen by the people, and not be the nominees of an English minister.

It is shrewdly observed by a writer in the 'Portfolio,'* that politicians are what circumstances make them, and that agitators of the Exeter Hall school might very easily have induced a large section of the British public to regard repeal as rather an English than an Irish question. An appeal might have been made to Protestants upon the extreme desirability of

excluding the whole body of Irish Roman Catholic members from the House of Commons, and shutting them up in a provincial diet. The evils might have been dwelt upon, occasioned by the power of Irish members to embarrass and thwart the measures of Government, and even to decide the fate of cabinets when parties are equally divided. It might have been shown from statistical tables that Ireland (as hitherto governed) has always been a burden to England; a plague, in fact, rather than a blessing. That she has never contributed her full share to the exigencies of the state; and that England is over taxed to maintain order in a conquered province, which, if left to its own guidance, might still continue in a disturbed state, but would cease to involve this country in endless expenses, or to attribute all its troubles to English ascendancy.

In these statements there would be much truth. It is so difficult to levy taxes without the full consent of a people, that we are persuaded an Irish local legislature, having the confidence of the country, would succeed in raising a much larger revenue for general purposes than it has yet been supposed capable of producing.

We believe, moreover, that when the theory of representative government is better understood than it is in these days of monarchical and republican incongruities, it will be seen that the basis of all sound social organization must be federal institutions. It is quite obvious, from the religious dissensions now created in Scotland, and the general ignorance of English members of Scottish laws and customs, that upon the Kirk question and many other topics of purely local interest, Scotland would be in a better condition if allowed to legislate for itself; and surely in Ireland, with a population of eight millions, there are not only railroads and other questions of internal communication, but a multitude of local interests connected with the welfare of the people, some of which, perhaps, could hardly be made intelligible to English ears, and certainly would never find fit audience in the House of Commons.

On the other hand, there are questions of a character purely national, such as the regulation of tariffs, the adjustment of debts, and measures of protection or defence, which can only be fitly discussed by a general Parliament, or an assembly of deputies similar to the Senate of the American Congress, to which the legislative body for each state sends its representatives. The chief difficulty of such an arrangement for the United Kingdom would be that of fixing the precise limits of the supreme or central power and the local authority. Franklin might help us to settle them, but we have no Franklins among us. Events must

shape their own course, directed by the passion of party leaders. Moderation and wisdom might, in a *new* act of Union, bring about a new era of prosperity to both countries, and Ireland be as little separated from England as New York from Massachusetts. Passion and a blind reliance upon brute force may produce the same results we have witnessed in the dissolution of the kingdom of the Netherlands. But be the prospects of the two countries in the present crisis hopeful or sad; be the object sought by O'Connell, and with him now the whole body of his countrymen, a blessing or a curse; be that object attained by peaceable agencies, or only after a sanguinary struggle like that which has but just closed in Canada; we have again committed the folly of accelerating a movement by identifying it with the cause of a nation:—a war against opinion, if it contain but one element of truth, must end in the triumph of opinion;—Peel has carried Repeal.

We had intended to add a few observations upon the present duties of English Reformers; but time fails us, and happily the true policy of the liberal interest is beginning to be understood. Clouds lower in the horizon, but day breaks in the East, and a weary night of political apathy is past. There is something singular in the moral blindness and infatuation of a Tory aristocracy. We believe its ramifications of influence among all classes of this country are so numerous that, with the most ordinary tactics, its power might be irresistible. Nothing could overthrow it but its own folly; but Tory leaders are political suicides. The Frankenstein that has destroyed them has ever been the monster of their own creation. Pitt was his own enemy. Wellington and Peel, to save East Retford from disfranchisement, excluded their party from office for ten years; and now what large class of the community is there they have not incensed by their contempt, or by a too obstinate predilection for class interests? We should except the Church. Statesmen who heed not the rights of conscience may yet respect the influence of the clergy. The followers of expediency have one shrine at which they can worship in sincerity;—"Great is Dagon, god of the Philistines."

Upon the importance to be attached to the present free-trade agitation, the 'Times' has spared us the necessity of comment.

"The League is a great fact. It would be foolish—nay, rash to deny its importance. It is a great fact that there should have been created in the homesteads of our manufactures a confederacy devoted to the agitation of one political question, persevering at it year after year, shrinking from no trouble, dismayed by no danger, mak-

ing light of every obstacle. It demonstrates the hearty strength of purpose—the indomitable will—by which Englishmen, working together for a great object, are armed and animated. It is a great fact that, at one meeting at Manchester, more than forty manufacturers should subscribe on the spot each *at least* 100*l.*, some 300*l.*, some 400*l.*, some 500*l.*, for the advancement of a measure which, right or wrong, just or unjust, expedient or injurious, they at least believe it to be their duty or their interest, or both, to advance in every possible way.

“These are facts important and worthy of consideration. No moralist can disregard them; no politician can sneer at them; no statesman can undervalue them. He who collects opinions must chronicle them. He who frames laws must to some extent consult them.”*

There are some men upon whom the fact of large subscriptions makes a greater impression of the growing influence of a cause than any other evidence, and yet it is but one of the indications among many of the change in the public mind upon questions of international intercourse which has been wrought by the League. As these pages will be read by many persons living beyond the immediate circle of its operations, we would fain describe one of those monthly aggregate meetings of the League in the metropolis, which none can have witnessed without astonishment. The address of Mr Cobden is that of a calm, emphatic speaker, and a plain, practical man of business, who thoroughly understands both his own object and the means by which it is to be effected; but let a stranger to London picture to himself our largest theatre (the Opera house excepted) crowded to suffocation, and, if he can, the effect upon the assembled thousands, which no pen of ours is equal to describe, of such an appeal to their imaginations as the following, upon the mass of human misery produced by the laws which restrict the supply of food:—

“Did one want to exhibit it in this great theatre, it might be done, —not by calling together such an audience as I now see here, but by going into the by-places, the alleys, dark courts, the garrets and cellars of this metropolis, and by bringing thence their wretched and famished inmates. O, we might crowd them here,—boxes, pit, and galleries—with their shrunk and shrivelled forms, with their wan and pallid cheeks, with their distressed looks—perhaps with dark and bitter passions pictured in their countenances—and thus exhibit a scene that would appal the stoutest heart, and melt the hardest—a scene that we could wish to bring the Prime Minister of the country upon the stage to see, that we might say to him, ‘There, delegate of majesty! leader of legislators, conservator of institutions, look upon

* ‘Times’ of Saturday, November 18, 1843.

that mass of misery ! That is what your laws and power, if they did not create, have failed to prevent, have failed to cure or mitigate.' But supposing this to be realized—perhaps we should be told, 'There has always been poverty in the world ; that there are numerous ills that laws can neither make nor cure ; that whatever is done, much distress must exist :' he might add, 'It is the mysterious dispensation of Providence, and there we must leave it.' 'Hypocrite, hypocrite !' I would say to him, 'urge not that plea yet, you have no right to it. Strike off every fetter upon industry ; take the last grain of the poison of monopoly out of the cup of poverty ; give labour its full rights ; throw open the markets of the world to an industrious people ; and then, if after all there be poverty, you have earned your right to qualify for the unenviable dignity of a blasphemer of Providence ; but until then, while any restriction whatever exists, while any impediment is raised to the well-being of the many for the sordid profit of the few—till then you cannot, you dare not, look this gaunt spectre of wretchedness in the face, and exclaim, 'Thou canst not say I did it.' '*

There is power in wealth, power in energetic wills, power in eloquence, and, most of all, power in truth ; but when all these are leagued together for the promotion of a common object, what force is there in a Government more than in a cobweb, by which they can be resisted ? If we have a fear on the subject, it is that the immediate object of the League, the repeal of the corn laws, will be a measure too early conceded ; too early, we mean, for those salutary reforms in the corrupt practices of elections which the League have undertaken to effect ; too early for so complete a change in the majority of the House of Commons as would be necessary to reform all the abuses which class interests have originated and maintained. We know that among the Whigs there are some who regard with jealousy and opposition the interference of the League at elections to promote the success of candidates favourable to free-trade principles. But under what other banner would they have the people fight ? In what other field would they have the enemy met ? The great leader of the Tory party, and champion of the sliding scale, declared, "Our battle must be fought in the registration courts." *There*, then, he must be followed. Let all practical Reformers rally round the League.

* Speech of W. J. Fox at the first aggregate meeting of the League in October last, held in Covent Garden Theatre.

•CRITICAL AND MISCELLANEOUS' NOTICES.

ASIATIC JOURNALS.

THE PEKING GAZETTE.

THE HONG KONG GAZETTE.

THE BENGAL HURKAM.

AMONG the works sent us for review the greatest novelty we have received is a copy of the 'Peking Gazette,' published in May last, for which we are indebted to a correspondent in China. The 'Peking Gazette' is an official organ of the Chinese government, similar to the 'London Gazette' of England, and is filled with the same kind of official notifications. It forms a narrow-shaped octavo pamphlet of fine tissue paper, the leaves of which are too thin, as in most Chinese publications, for printing on both sides the page, and require, therefore, to be subsequently joined together with gum. This number is filled with proclamations announcing the promotion or degradation of great officers, the tone of which shows a great activity in every branch of the Chinese naval and military departments; and we are sorry to learn from our correspondent that the Chinese are evidently preparing for another contest with the "aggressive foreigners." We regret, also, to hear of the general ill health of our Plenipotentiary, and that complaints are continually arising from the conduct of a clique of officials by whom he is surrounded.

The editor of the 'Bengal Hurkam' draws our attention to an error in the article on Lady Sale in our May number, in which "a kajiwah" is described as a rude jolting car, but which is in fact a sort of pannier slung on a camel's back. It is some satisfaction, however, to learn that this is not quite as bad as the Society for the Diffusion of Useful Knowledge telling the world that a *cooley* is a small *pony* found in the hills; or the mistake of a noble lord in speaking of the "ferocious *doolies* carrying off the dying and dead;"—"a *dooley*" being a kind of litter, and not a wild beast.

ARCHITECTURE.

RICAUTI'S RUSTIC ARCHITECTURE. James Carpenter, Old Bond street.

ARTS, ANTIQUITIES, AND CHRONOLOGY OF ANCIENT EGYPT. By G. G. H. Watherston, architect. Longman, Brown, and Green.

ANCIENT AND MODERN ARCHITECTURE. Edited by Jules Gailhabaud. Firmin, Didot, and Co., Amen corner.

THE PRESENT STATE OF ECCLESIASTICAL ARCHITECTURE IN ENGLAND. By A. Welby Pugin, architect. C. Dolman, 61 New Bond street.

MANUAL FOR STUDENTS OF BRITISH ARCHITECTURE. By Archibald Barrington, M.D. G. Bell, Fleet street.

BIOGRAPHY.

SHAKSPEARE—PICTORIAL EDITION. C. Knight.

MEMOIR OF THE MARQUIS DE POMBAL. 2 vols. By J. Smith, Esq. Longman, Brown, and Green.

LIFE AND TIMES OF REUCHLIN. By Francis Barham, Esq. Whittaker and Co.

BIOGRAPHICAL ILLUSTRATIONS OF WESTMINSTER ABBEY. By George Lewis Smith. Part II. Whittaker and Co.

BIOGRAPHICAL DICTIONARY. Vol. 3. Part I. Longman, Brown, and Green.

STATESMEN OF THE TIME OF GEORGE III. By Lord Brougham. (Third Series.) C. Knight and Co., Ludgate street.

WE have given an extract from this work (which has the faults and merits of the preceding volumes) at the close of the article on Lord Sydenham, page 383, and we shall probably return to it in a future number.

MEMOIRS OF DR EDMUND CARTWRIGHT. Saunders and Otley.

"INVENTOR of the Power Loom" is a proud distinction, and some, perhaps, there are devoted to mechanical inventions who would rather have been the man who earned that title than "the Author of Waverley." The fame, however, due to merit, and its more solid rewards, have, in this case, been far from commensurate with the universality and the value of the mechanism by which Dr Cartwright increased, and to an immense extent, the powers of manufacturing production. The name of the inventor was almost forgotten before the power-loom came into general use for cotton-weaving. Nor does it appear that Dr Cartwright obtained pecuniary benefit from any one of his numerous patents.

Mr Arkwright, lately deceased, son of Sir Richard Arkwright, the inventor of cotton-spinning machinery, is said to have left property to an amount exceeding five millions sterling. Others have realized large fortunes by Dr Cartwright's power-looms and wool-combing machines; but circumstances did not favour their inventor. The first time the power looms were applied to weaving on a large scale, in 1791, the mill containing them was intentionally set on fire, and burnt to the ground. This checked their general introduction until long after Dr Cartwright's patent had expired: but as some compensation for his own losses, and the services he had rendered the country by this invention, he received, in 1808, a grant from Government of 10,000*l*. With this sum Dr Cartwright, then in his sixty-sixth year, purchased a small farm at Hollenden, between Sevenoaks and Tonbridge, in Kent, where he divided his time, during the remaining years of his life, between mechanical and agricultural experiments. He was born in 1743, exactly a century ago, and died in 1823.

Dr Cartwright was the brother of Major Cartwright, the constitutional reformer.

LIFE AND LITERARY REMAINS OF CHARLES REECE PEMBERTON. Edited by John Fowler. C. Fox, 67 Paternoster row.

THE contents of this volume deserve to be much more widely known than to the circle of subscribers who had personal knowledge of the author, a list of whom is appended to the work. We would recommend it to book societies as containing, among other papers of great excellence, one of the most interesting autobiographies ever penned—the autobiography of Pemberton himself, under the assumed name of 'Pel Verjuice.' The history and character of the man cannot perhaps be better portrayed in the short space we can only devote to this notice, in the present number, than in his Epitaph, as written by W. J. Fox, and cut in the marble slab placed by subscription over his grave.

Beneath this Stone
Rest the mortal remains of
CHARLES REECE PEMBERTON
Who died March 3rd, 1840, aged 50.

His excellent and fervid nature,
His acute susceptibility,
And his aspirations to the beautiful and true,
Were developed and exercised
Though a life of vicissitude,
And often of privation and disappointment.
As a public lecturer
He has left a lasting memorial
In the minds of the many
Whom he guided to a perception
Of the genius of Shakspeare
In its diversified and harmonizing powers.
At oppression and hypocrisy
He spurn'd with a force proportion'd
To that wherewith he clung
To justice and freedom, kindness and sincerity.
Ever prompt for generous toil,
He won for himself from the world
Only the poet's dowry,
"The hate of hate, the scorn of scorn,
The love of love."

EDUCATION.

THE STUDENT'S CABINET LIBRARY OF USEFUL TRACTS: Philosophical Series.
Vol. 2. Part III. T. Clark, Edinburgh.

DAS KALTE HERZ VON WILHEM HAUFF. By Heinrich Apel. Simpkin, Marshall, and Co.

A CLEVERLY-told German tale, of which the moral is the danger of covetousness; as shown in the consequences of exchanging with a wood demon a heart of flesh for a heart of stone. An excellent reading lesson-book for juvenile students of the German language.

PICTORIAL SPELLING AND READING ASSISTANT. Part I. B. Steill, 20 Paternoster row.

PHYSIOLOGY FOR YOUNG LADIES, IN SHORT AND EASY CONVERSATIONS.
S. Highley, 32 Fleet street.

THE object of this little work is the very important one of instructing the female branch of the rising generation in the physical laws affecting the human frame, upon which are dependent the blessings of health. It is impossible to estimate too highly the value to schools, and families of girls, of a clear and simple treatise on this subject; and these conversations, interspersed with anecdotes, the style of which is not too crude for the comprehension of young ladies who have reached their teens, are well adapted to the end in view. The author tells us,—

"It was her object to make the subject as easily understood and as amusing as possible: but she feels it right to add, that she is a mere compiler, having done little more than epitomised from Dr Combe's admirable 'Treatise on Human Physiology.' Excellent and concise as that work is, she found it too long and too scientific for many unreflecting young ladies to whom she recommended it."

We would fain put a copy of this book into the hands of every mother and every schoolmistress throughout the United Kingdom. It is not the cold and humid climate of England, but false modes of education, and

defective physical training, which are the principal cause of consumption, or of delicate health, among the women of the middle and upper classes of this country.

In a second edition we would suggest the introduction of a few wood-cut diagrams, to show the exact situation and character of some of the organs referred to, and also the omission of an incidental remark about hydrophobia,—a disease of the nervous system extremely rare, not at all understood, and which has no necessary connexion either with the bite of a dog, or a dread of water.

GUNN'S LIVY. Simpkin, Marshall, and Co.

A NEW edition of 'Livy,' for the use of grammar schools, provided with an excellent historical and geographical index, and notes to elucidate obscure readings, for which the highest German and English authorities have been consulted.

SELECTA E POETIS LATINIS. Oliver and Boyd, Edinburgh.

KINE ARTS.

HAY ON PROPORTION. Blackwood and Sons.

PALMER'S PATENT GLYPHOGRAPHY, OR ENGRAVED DRAWING. 103 Newgate street.

HISTORY.

LETTERS OR DESPATCHES OF HERNANDO CORTES. Wiley and Putnam.

WE have here for the first time, in an English dress, the original letters or despatches, to the Emperor Charles the Fifth, of Hernando Cortes, describing the conquest of Mexico, the primary source of all the subsequent histories that have appeared of that extraordinary triumph of daring, reckless intrepidity.

The first letter has been lost, and there is no account that it was ever printed, either in Spanish or in any other language, nor is the original manuscript known to exist.

"The Second Letter was printed at Seville in 1522, of which a Latin translation appeared at Nuremberg in March, 1524; this again was turned into Italian, and published at Venice in August of the same year.

"The Third Letter was printed at Seville in 1523, translated into Latin by the same hand, and published at Nuremberg the following year.

"The Fourth Letter was printed at Toledo in 1525, and, together with the two former, appeared in the third volume of Ramus's Collection of Voyages and Travels (in Italian) at Venice, 1556. This was the edition consulted by Solis, as mentioned above. A German translation of them was printed at Augsburg in 1550, and another at Heidelberg in 1779.

"A French translation, by M. Le Vicomte de Flairquy, appeared at Paris, in 1776."

MISCELLANEOUS.

NEW TRACTS FOR THE TIMES. By Goodwin Barneby. B. D. Cousins, 18 Duke street, Lincoln's-inn fields.

THE PROMETHEAN. By Goodwin Barneby. B. D. Cousins, 18 Duke street, Lincoln's-inn fields.

THE PROSE; OR YOUNGER EDDA. Translated from the old Norse, by G. Webbe Denton R A William Pickering

THE GUIDE TO SERVICE: THE FARM BAILIFF. C. Knight and Co., Ludgate street.

THE PEACE CONVENTION. Peace Society's office, 19 New Broad street.

THE TENTH ANNUAL REPORT OF THE ROYAL CORNWALL POLYTECHNIC SOCIETY. Parts I and II. Simpkin, Marshall, and Co.

SOCIÉTÉ ASIATIQUE. RAPPORT ANNUEL FAIT A LA SOCIÉTÉ ASIATIQUE. Par M. J. Mohl. Paris: Imprimerie Royale.

BAINES ON THE MANUFACTURING DISTRICTS. Simpkin, Marshall, and Co.

HISTORY OF THE CHRISTMAS FESTIVAL, THE NEW YEAR, AND THEIR PECULIAR CUSTOMS. G. Newcomb, 4 Vincent row.

LETTRE A M. DE LAMARTINE. Par l'Auteur de 'Qu'est ce que la Roi dans une Monarchie Fondée Sur le Principe de la Souveraineté Nationale,' &c. Suivie de la Reponse de M. de Lamartine et de celle de Messrs de Genoude et Delaforet sur le même sujet. Booth, Libraire, Duke street, Portland place.

AN APPEAL IN BEHALF OF COLONEL STODDART AND CAPTAIN CONOLLY. By Captain Grover, F.R.S., F.R.A.S. Hatchard and Son.

THOUGHTS ON TRAITS OF THE MINISTERIAL POLICY. William Aylott, 128 Chancery lane.

THE TRUE CHARACTER OF OUR PRESENT CURRENCY SYSTEM.

LATE HOURS OF BUSINESS. W. Aylott, 128 Chancery lane.

THE USURY LAWS. Smith, Elder, and Co.

FINAL REPORT OF THE COMMITTEE APPOINTED AT A GENERAL MEETING OF THE WINE TRADE. Smith, Elder, and Co.

PROMISCUOUS WORSHIP NO DUTY BUT A SIN. By George Bird, B.A.

PROSTITUTION IN THE BOROUGH OF LIVERPOOL. By the Rev. W. Bevan.

LETTERS ON LAW REFORM TO THE RIGHT HON. SIR J. R. G. GRAHAM, BART. M.P., FROM LORD BROUGHAM. J. Ridgway, Piccadilly.

THE LONDON JOURNAL AND REPERTORY OF ARTS, SCIENCES, AND MANUFACTURES. R. Folkard, 22 Devonshire street.

THE PHRENOLOGICAL THEORY OF THE TREATMENT OF CRIMINALS DEFENDED. By M. B. Sampson. S. Highley, Fleet street.

CORRESPONDENCE BETWEEN BURNS AND CLARINDA; with a Memoir of Clarinda (Mrs M'Lehose). Tait, Edinburgh.

THE CORPORATION OF LONDON AND MUNICIPAL REFORM. S. Clarke, 13 Pall-mall East, and E. Wilson, 18 Bishopsgate street.

This is the article on the Corporation of London, which appeared in the 'Westminster Review' for May last, reprinted, by subscription, and sold, at the low price of sixpence, although containing ninety pages, to promote its general circulation. Notwithstanding the loud assertions of many members of the Corporation that this body had been grossly calumniated by the article referred to, no one error of the slightest importance has yet been pointed out among its numerous and important statements.

BIBLIOGRAPHICAL ILLUSTRATIONS OF ST PAUL'S CATHEDRAL.

In our former notice of this work we gave an extract, tending to show that Lord Nelson was a close observer of the character, manners, and capabi-

lities of those under his command; but a correspondent writes to say that the anecdote we quoted has the one defect of not being true. He observes:—

“While reading the anecdote, it occurred to me that, the riots having happened in June, 1780, Nelson was then so young a man that Bobbing Tom could scarcely have had an opportunity of serving *under* him, as a captain or commander, though he might have served *along with* him, as a midshipman. On referring, however, to Southey's history, I found that Nelson had been promoted to the rank of post-captain in 1779, at the early age of twenty-one, and appointed to a sloop of war serving in the West Indies; that, in March, 1780, he accompanied an expedition against the Spanish settlements on the river Nicaragua; that, about the end of April, or the beginning of May, he returned to Jamaica, but after continuing there some time, and being still too unwell to assume the command of the frigate to which he had been then appointed, he returned home as a passenger in the ‘*Lion*,’ 64, Capt. Cornwallis; that, on his arrival in England; he went immediately to Bath, in so bad a state of health, that he had to be carried to and from his bed, and suffered extreme pain from the smallest motion; that he remained three months at Bath, and only then proceeded to London. This would bring his history down to Nov. 1780, five months after the riots. But Southey gives no dates; and so, to determine the matter more precisely, I referred to the periodicals of the day, and found that the ‘*Lion*,’ 64, Capt. Cornwallis, with a convoy from the West Indies, reached the coast of England in safety, on the 20th of July, 1780, just six weeks* after the burning of Lord Mansfield's library, which happened on the 8th of the preceding month of June; so that, even if Nelson's health had permitted, he could not possibly have been present to witness Bobbing Tom's exertions on that occasion.”

THE HISTORY OF THE PARISH OF GRITTLETON, IN THE COUNTY OF WILTS. By the Rev. J. E. Jackson, M.A. With an ESSAY ON TOPOGRAPHICAL LITERATURE AND NATIONAL AND LOCAL RECORDS. By John Britton. London: 4to. Published by the Wiltshire Topographical Society.

THIS handsome volume is the first publication of the Wiltshire Topographical Society, in which some two hundred gentlemen have enrolled themselves by payment of an annual guinea each for the purpose of publishing topographical essays on the various parts of their county—a county which, as containing Stonehenge, Abury, Salisbury, and Malmsbury, is eminently rich in antiquarian and topographical treasures. The present part gives an account of the manor of which Mr Joseph Neeld, M.P., is chief proprietor, and he has presented four well-executed engravings of his house to add to its embellishment—by no means an unpraiseworthy mode of expending the wealth which he derived from the industry of the late great goldsmiths of Ludgate hill, Messrs Rundell and Bridge. Such publications, and the investigations they provoke, are of value not only to the country gentlemen who conduct them, but to society in general, and are deserving of every encouragement. In the production of the present number, the indefatigable and evergreen Mr Britton has been exercising his zeal, for it seems to have passed entirely under his editorship, and he has appended to it much information, which, though not very new to professed topographers, may possibly be very instructive to his new pupils in Wiltshire.

THE ENGLISHMAN'S HEBREW AND CHALDEE CONCORDANCE OF THE OLD TESTAMENT. Two vols. royal 8vo. Longmans.

THIS learned and laborious compilation is a work of such magnitude and perseverance, that nothing short of religious enthusiasm was likely to call it into being, in this money-seeking, superficial age. Its appearance is mainly, if not wholly, owing to the zeal of certain members of a body of

Christians who are called "Plymouth Brethren," and the chief agent in the work appears to have been Mr George Wigram, brother, we believe, of the Vice-Chancellor. He disclaims, however, being either the originator, the executor, or even the reviser, and only claims to be the proprietor of the work. As far back as the year 1830, the compilation of the work appears to have been in progress, and besides the superintending care of six persons who are named, it appears to have engaged a large corps of subordinates in the mechanism of its structure.

The object of the work is to enable the English student to deduce for himself the meaning and definition of words "from the use made of them in the Old Testament, and it is divided into three parts. The first contains an alphabetical succession of all the appellatives in the Hebrew and Chaldee Bible. Immediately after each Hebrew or Chaldee word follows the series of *passages* in which it occurs: with the quotations in the language of the authorised English translation, and in its order of books." The following is a specimen:—

אֲבִיר ab-beer'adj

- Ind. 5. 22. pransings of their (lit his) *mighty* ones.
- 1 Sa. 21. 7. (8) the *chiefest* of the herdmen.
- Ps. 22. 12. (13) the *strong* (bulls) of Bashan.
- 50. 13. Will I eat the flesh of *bulls*.
- 78. 25. Man did eat *angels'* food.

Thus we see at once all the translations which have been ascribed to each Hebrew appellative. In the present case we find, "mighty, chiefest, strong, bulls, angels," given to the same appellative.

Part II "is an index showing under each Hebrew and Chaldee word the variations of the English translation." Thus, under the same word as above, we find "angel, bull, chiefest, mighty," &c. This index does not occupy much space, and no great objection need be raised to it, but its utility is not very apparent, as it gives nothing which is not given more fully and intelligibly in Part I.

Part III "is an index to enable the English reader to turn any English word into that which corresponds to it in Hebrew." Thus, if we turn to the word "angel," we find the above and two other Hebrew words occurring in different places in the Old Testament. So with "bull," there is the above and three other references.

The plan of the present work is stated to have originated with Mr William Burgh, a clergyman of Dublin, and full details are given in great minuteness of the mode in which the compilation was executed, and of the extreme pains taken to insure accuracy. They are very interesting to the student who uses this book, and will establish his faith in its almost perfect infallibility. A comparison of the present with other concordances of Buxtorf, Marius, and Taylor, appears to have established the following results:—

In Buxtorf, printed in 1632, "within the space of eight pages and two columns, besides mistakes regarding the respective *books*, 4; *chapters*, 17; *verses*, 92; *quotations*, 5; in all 118: I find also, that in א there are 380 omissions and 1,100 errata."

In Marius, by Romaine, 1747, "within the space of fifteen pages, besides a few mistakes in books, chapters, verses, and quotations; in all under 20. In this work א has 145 omissions.

In Taylor, printed in 1754. "Taylor in his preface says, 'I have added all the words I could find that Buxtorf has omitted, which amount to 121' (he certainly added many more, but) observe our first sheet alone, less than one-eightieth part of the whole work adds 25 more. In this work א has 250 omissions."

We are glad to have had an opportunity of noticing this remarkable and pains-taking work, though our space has not permitted us to do more than give this announcement of it; but what we have said, will, we doubt not, be sufficient to induce all who are interested in the subject to examine the work for themselves. C.

HARRIET MARTINEAU.

Our readers, many of whom we do not doubt have perused with pleasure papers written by Miss Martineau in the 'Westminster Review,' will be gratified with the following particulars relative to the testimonial of respect subscribed for that lady after she had declined, from the most honourable scruples of public duty, a pension from Government, offered by Lord Melbourne. We remark the small amount of expenses incurred; a rare instance of good management in raising a public subscription, and which says much for the personal activity and praiseworthy zeal of the parties with whom it originated.

"The Managers of the Testimonial to Miss Martineau, having been requested by that lady to forward the accompanying letter to the subscribers, avail themselves of the opportunity to inclose the following statement:—

| | £ | s. | d. |
|--|--------|----|------|
| Amount Subscribed | 1,381 | 8 | 10 |
| Stationery, Postage, and Advertising | 23 | 0 | 0 |
| | <hr/> | | |
| | £1,358 | 8 | 10." |

"TO THE CONTRIBUTORS TO A TESTIMONIAL TO H. MARTINEAU.

"My Dear Friends,—To reach you individually from my retirement is not easy; and to convey to you the feelings with which I accept your kindness is impossible: yet I cannot but attempt to present to each of you my acknowledgments, and the assurance of the comfort I feel, from day to day, in the honour and independence which you have conferred upon me. By your generous testimony to my past services you have set me free from all personal considerations in case of my becoming capable of future exertion. The assurance which I possess of your esteem and sympathy, will be a stimulus to labour, if I find I have still work to do; and if I remain in my present useless condition, it will be a solace to me under suffering, and a cordial under the depressions of illness and confinement.

"I am, with affectionate gratitude, your Friend and Servant,

"HARRIET MARTINEAU.

"Tynemouth, October 22, 1843."

MEDICINE.

HYDROPATHY. By Edward Johnson, Esq., M.D. Simpkin, Marshall, and Co.

ANIMAL MAGNETISM AND HOMŒOPATHY. By Edwin Lee. J. Churchill, Princes street, Soho.

THE BRITISH JOURNAL OF HOMŒOPATHY. Vol. 1. J. Leath, St Paul's churchyard.

•PAMPHLETS.

SUPPRESSION OF SPONTANEOUS COMBUSTION IN WOOL SHIPS. By W. Bland, Esq. Sydney.

STATISTICAL REPORT OF ONE HUNDRED AND NINETY CASES OF INSANITY AD-

MITTED INTO THE RETREAT NEAR LEEDS. S. Taylor, printer, 2 George yard, Drury court, Strand.

A LETTER FROM LORD WESTERN TO THE CHAIRMAN OF THE MEETING OF THE BIRMINGHAM CHAMBER OF COMMERCE. Ridgway, Piccadilly.

FIRST ANNUAL REPORT OF THE NATIONAL ASSOCIATION FOR PROMOTING THE POLITICAL AND SOCIAL IMPROVEMENT OF THE PEOPLE. H. Hetherington, 40 Holywell street.

THOUGHTS ON THOMAS CARLYLE. By R. B. E. J. Ward and Co., Paternoster row.

RAILWAY REFORM; ITS EXPEDIENCY AND PRACTICABILITY CONSIDERED. Pelham and Richardson, Cornhill.

A PAMPHLET crowded with information on a subject of great practical importance. We recommend it to the earnest attention of our readers.

ERRORS OF EMIGRANTS. By George Flower. Cleave, Shoe lane.

We have found in this shilling pamphlet more sound information, and especially of the kind suited to emigrants, than in many large octavo volumes upon the United States.

WHO SHOULD EDUCATE THE PRINCE OF WALES? Effingham and Wilson.

POETRY AND THE DRAMA.

THE PHILOSOPHER'S STONE AND OTHER POEMS. By Manley Hopkins. G. W. Nickisson, Regent street.

STRAFFORD. A Tragedy. By John Stirling. Edward Moxon, Dover street.

We have been compelled to postpone an article in type upon this tragedy intended for the present number.

SACRED POEMS. By John Edmund Reade. Saunders and Otley.

C. KNIGHT'S LIBRARY EDITION OF SHAKSPERE. Vol. IX. Tragedies.

BIGBY'S POEMS AND ESSAYS. Whittaker and Co.

SONNETS. Printed by H. S. Richardson, Greenwich.

POEMS. By C. R. Kennedy. Edward Moxon, Dover street.

POEMS FROM THE GERMAN OF SCHILLER. By G. J. Gollop, Esq. Rodwell and Martin, Bond street.

MARION; OR, THE PAGE. A Play. C. Mitchell.

MOORE'S POETICAL WORKS. Complete in one volume. Longman.

To a numerous circle of readers, including every true lover of poetry, who may be unable to afford the expense of the larger edition, this collection of the whole of Moore's poetical works will be a welcome acquisition. Moore has been a prolific writer, and we have here the contents of ten volumes in one, with their several prefaces and notes. The volume is, of course, a large one; but it is handsomely got up,—the paper good, the letter-press not crowded, the type clear and not illegibly small. It is embellished with two highly-finished steel engravings; one a likeness of Moore, from the portrait painted by G. Richmond, and an exquisite vignette of Sloperton

Cottage, the residence of the poet. This collection includes the prose poem of 'The Epicurean,' with 'Lalla Rookh,' 'The Loves of the Angels,' the songs of the 'Irish Melodies,' and all the minor poems of the author, sacred, convivial, amatory, and satirical. This is not the place to attempt a new criticism of any of these well-known compositions, but we cannot forbear an expression of regret that Moore had not devoted less time to political squibs, which, however successful at the moment, soon lose their interest, that their places might now be occupied by additional gems in the more serious vein of the following:—

"LONG YEARS HAVE PASS'D."

"Long years have pass'd, old friend, since we
First met in life's young day ;
And friends long lov'd by thee and me,
Since then have dropp'd away :
But enough remain to cheer us on,
And sweeten, when thus we're met,
The glass we fill to the many gone,
And the few who're left us yet.

Our locks, old friend, now thinly grow,
And some hang white and chill ;
While some, like flow'rs mid autumn's snow,
Retain youth's colour still.
And so, in our hearts, though one by one,
Youth's sunny hopes have set,
Thank heaven, not all their light is gone,
We've some to cheer us yet.

Then here 's to thee, old friend, and long
May thou and I thus meet,
To brighten still with wine and song
This short life ere it fleet.
And still as death comes stealing on,
Let's never, old friend, forget,
Ev'n while we sigh o'er blessings gone,
How many are left us yet."

PHILOSOPHY AND SCIENCE.

THE PHYTOLOGIST ; a Botanical Magazine. John Van Voorst. Paternoster row. 1841—3.

WE think it highly desirable that such lovers of botany as are not yet aware of the fact, should be apprised that there has now existed, for nearly two years, a botanical magazine, at the low price of one shilling. This little periodical is not intended to compete with the large works which are addressed to the scientific public, and are the appointed vehicles for the more recondite discoveries and discussions of vegetable physiology. Without excluding such discussions when they can be brought within the limits of the work, the 'Phytologist' addresses itself less to scientific physiologists than to naturalists in the more popular acceptation of the term ; and especially to such as wander over the hills and fields of our native country in search of its rarer plants, or who delight in observing their habits and peculiarities. Of the merits of the work in this capacity it is almost a sufficient recommendation that Mr Newman, the author of the accurate and interesting 'History of British Ferns,' has made its pages the vehicle for

giving to the botanical public, as a sequel to that work, a similar history of the British Lycopodiaceæ Equisetaceæ, and adjacent families, which is now nearly complete, and not inferior in excellence to the 'British Ferns.' In the genus *Equisetum* especially, Mr Newman has corrected serious mistakes, and cleared up important ambiguities.

The 'Phytologist' has contained various interesting and valuable discussions on other British plants, as, for example, that by which it was for the first time conclusively shown, by Mr Luxford and others, that the *Monotropahypopitys* is not, as it was so long supposed to be, a parasetical plant. The value of this journal to local collectors of plants is very great, as almost every number contains a local flora, or catalogue of the plants growing in some particular district. An account is also regularly given of the contents of the more interesting papers read before the Linnæan Society, and published in its transactions. And under the head of Varieties, admission is given to the briefest notice of any fact interesting to the lover of botany.

We are the more desirous of calling the attention of our botanical readers to this periodical, as we perceive with regret a statement in a recent number that it does not yet pay its expenses, and without an increase of its sale cannot be much longer continued. It will be a real discredit to the growing class of botanical amateurs, if they suffer so useful a medium for mutual communication among themselves to perish for want of the very trifling support which would continue it in existence. S.

POLITICAL PHILOSOPHY, Part III: DEMOCRACY—MIXED MONARCHY. By Henry Lord Brougham. Published by the Society for the Diffusion of Useful Knowledge.

MURDOCH'S SKETCHES OF MODERN PHILOSOPHY.

NO. 43 OF THE STUDENT'S CABINET LIBRARY OF USEFUL TRACTS. Simpkin and Marshall.

POPULAR CYCLOPEDIA OF NATURAL SCIENCE. Parts V and VI. W. S. Orr and Co., Paternoster row.

CALORIC; ITS MECHANICAL, CHEMICAL, AND VITAL AGENCIES IN THE PHENOMENA OF NATURE. By Samuel L. Metcalf, M.D. of Transylvania University. London: William Pickering. 1843.

WE cannot at present do more than notice the appearance of this extensive work on one of the most important subjects in physical science. Dr Metcalf, a man of decided industry and ability, has expended on it the toil of many devoted years. An impression has long prevailed in the scientific world that we are on the eve of great discoveries, of splendid revelations respecting the nature of the phenomena of light, heat, and electricity.

Dr Metcalf's leading object is to prove by a careful generalization of facts, that caloric and electricity are mutually convertible into each other, modifications of one and the same essence which consequently is the active principle in light and in all the phenomena of nature.

Of the success of the author in a task so difficult and profound, this is not the place to speak. Suffice it for us to say, Dr Metcalf expresses himself in a style which is always scholarlike and sometimes eloquent. The

appreciative study of those who have devoted years to his subject alone can determine how far he has succeeded, and how far failed, in establishing his positions. For us it only remains to express a hope that his work will receive that attention from the scientific world which his devoted toil and evident ability seem to merit.

J. R.

THE INVISIBLE UNIVERSE DISCLOSED; OR, THE REAL PLAN AND GOVERNMENT OF THE UNIVERSE. By H. C. Johnson, Esq. E. Wilson.

FROM the title of this work we were led to suppose that the object of the author was to disclose something of those invisible spirits

"That walk the earth
Unseen, or when we wake, or when we sleep."

but the table of contents corrected our mistake. The book relates to the various phenomena in the universe that are objects, not of sight, but of mathematical or metaphysical investigation. It contains twelve "demonstrations" on motion, space, time, cause and effect, and the distance of the planetary bodies and similar subjects. We were startled on reading, in one of the "demonstrations," that the distance of the moon from the sun, which, according to astronomers, is 94,763,733 miles, is, in point of fact, only 76,161 miles; the moon, according to our author, being the nearest body to the sun. It would, however, be a good exercise for a student of astronomy to be required to prove that the received doctrine is right and the author wrong; for we suspect the number is very limited of those who are really equal to the task.

ETHNOGRAPHIC MAP OF EUROPE. By Dr Gustaf Kombst. Edinburgh.

"AN Ethnographic Map," says Dr Kombst in his preface, "would be of great use in history and statistics, but of still greater use in the natural history of man. Physiology and comparative anatomy, upon which ethnographic studies ought principally to be based, have hitherto been almost entirely neglected as auxiliaries of history. Circumstances have so far favoured the projector of this map, as to enable him to see the three great varieties of the so-called Caucasian species in Europe, viz.: the Celtic, Teutonic, and Slavonian, in several countries inhabited by them. He has devoted to the subject of the physical differences of these varieties, their origin, connexion, &c., undiminished attention for a great number of years. Yet, as this is the first ethnographic map ever published, based upon the principle of the natural physical difference of the different varieties of the Caucasian species inhabiting Europe, he is fully aware that it must in many respects still remain deficient, and far below the standard which he himself would set up for such an undertaking."

To those of our readers who are aware of Dr Kombst's high reputation as an able and learned publicist, the above will convey a promise which we may assure them is faithfully performed. The student will find this ethnographic map a very valuable contribution to historic science. The notes which accompany it condense a large amount of various and accurate learning, in a form singularly convenient for reference, and the mechanical arrangement of the map itself is excellent. It exhibits to the eye, in one view, a complete account of the political, religious, moral, and physiological statistics of the population of Europe.

P.

POLITICS.

THE OPINIONS OF SIR ROBERT PEEL EXPRESSED IN PARLIAMENT AND IN PUBLIC. By W. T. Haly, Esq., of the Parliamentary Galleries. Whitaker and Co.

THE PORTFOLIO. J. Maynard, Pantion street, Haymarket.

RELIGION.

MONTGOMERY'S SERMONS. Francis Baisler, 124 Oxford street.

JAY'S WORKS. Eighth Volume. C. A. Bartlett, 66 Paternoster row.

LANE'S SELECTIONS FROM THE KUR-AN. J. Madden and Co., 8 Leadenhall street.

VOYAGES AND TRAVELS.

THE EMPIRE OF THE CZAR. By the Marquis de Custine. Three vols. Longman, Brown, Green, and Longman.

THE impression produced by the statements of the Marquis de Custine, respecting the present condition of the people of Russia, and the character of its ruler, entitles them to more than a cursory examination. We had intended to devote some pages to the subject, but we must defer it to a future number, with 'Past and Present,' and several other works deserving a careful consideration.

BORROW'S BIBLE IN SPAIN. Parts I and II. J. Murray, Albemarle street. MR MURRAY has commenced a new series of popular works under the title of 'Murray's Home and Colonial Library.' The series will consist of half-crown numbers or parts, each part consisting of one hundred and fifty pages, printed in double columns, with a good clear type. The contents of Nos. 1 and 2 are 'Borrow's Bible in Spain,' a work now too universally known to require comment.

ERRATA.

At page 332, line 14 from the top, for "He does derive," read "He does *not* derive."
At page 478, the mutiny of the fleet is said to have occurred in "1795," read "1797."

TWENTY years have now elapsed since the first appearance of the 'Westminster Review,' in which the first article of the first number (from the pen of W. J. Fox) was entitled 'Men and Things in 1823.' A literary organ which, in the discussion of all the varied questions in the moral and physical sciences connected with human progress, should be free from the party bias of the 'Edinburgh' and 'Quarterly' Reviews, was then called for; and such a medium for the utterance of honest convictions is perhaps more indispensable at the present moment than at any former period. The late reaction in favour of the Conservative leaders of the aristocracy has ceased; the hopes which were entertained of a strong government, willing to govern in accordance with the spirit of the times, have proved delusive. It was said of the French *noblesse*, when they returned to France after forty years of exile, "These men are unchanged; the world with them has stood still; they belong not to the present century, but to the past;" and the same remark may unhappily be applied to a large portion of the English nobility and their instruments in office. It has become obvious that the members of the present cabinet and their immediate supporters are still the men of 1798,—dreamers of conspiracies and rebellions; promoters of agitation by the means chosen to suppress it; men who believe in military demonstrations, in state prosecutions, in the power of class interests, in the strength of old-established abuses, in the shifts of expediency, in popular credulity, in electoral corruption, but have no faith in moral influences, none in the divinity of truth, none in the growing intelligence of the people, none in the necessity of improved institutions adapted to the new wants of society, none in the stability of that government which should honestly take justice for its basis, and win, by deserving, the affections of the governed. They are men who, in an age of earnest convictions, are without earnestness of purpose,—who occupy a position which they do not understand, and one which it will soon be impossible for them to retain.

The time has arrived when, amidst the most encouraging prospects of continued usefulness, the 'Westminster Review' may prefer, with confidence, its claims to the support of every section of the Liberal interest. The service it rendered in bygone days, when, in the advocacy of free-trade principles, it stood almost alone, will not be forgotten now that those principles are on the eve of practical realization. The services it may yet render, not only in aiding the present movement, but in helping to ensure those further objects of good government which on the annihilation of monopoly will become attainable, need not be pointed out. With the present number will have been completed forty volumes of Essays and Criticisms; among which have appeared acknowledged contributions by Bentham, Mill, Grote, Carlyle, Colonel Perronet Thompson, C. Buller, Molesworth, Roebuck, Bowring, Harriet Martineau, and the Rev. Blanco White, with numerous unacknowledged papers by writers of influence.

In the future conduct of the work no labour will be spared to sustain the reputation of the past series; and when opportunities occur of extending the influence of the Review beyond the circle of its habitual subscribers, supplementary numbers will occasionally appear, at prices regulated by the contents.

A supplementary number, in a new form of wrapper, will be published the first of February next, devoted to questions connected with the progress of art.

